

# Memorandum



**Date:** March 20, 2018

**To:** Honorable Chairman Esteban L. Bovo, Jr.  
and Members, Board of County Commissioners

Agenda Item No. 8(M)(1)

**From:** Carlos A. Gimenez  
Mayor

A handwritten signature in black ink, appearing to read "Carlos A. Gimenez", written over a horizontal line.

**Subject:** Recommendation to Award a Construction Contract for the South Dade Landfill Cell 5 Construction, Project/Contract No. 14S003

## **RECOMMENDATION**

Approval is recommended for award of Contract No. 14S003, South Dade Landfill Cell 5 Construction, to Comanco Environmental Corporation, the lowest responsive and responsible bidder, in an amount not to exceed **\$17,242,500**.

<b>PROJECT NAME:</b>	South Dade Landfill Cell 5 Construction
<b>PROJECT NUMBER:</b>	14S003
<b>CONTRACT NUMBER:</b>	14S003
<b>METHOD OF AWARD:</b>	Invitation to bid and contract awarded to the lowest responsive, responsible bidder.
<b>CONTRACT BASE AMOUNT:</b>	<b>\$15,675,000</b>
<b>CONTINGENCY AMOUNT:</b>	<b>\$ 1,567,500</b>
<b>ADVERTISED BASE VALUE:</b>	\$14,674,626
<b>TOTAL CONTRACT PERIOD:</b>	365 days
<b>CONTINGENCY PERIOD:</b>	37 days

## **BACKGROUND**

The South Dade Landfill (SDLF) is a 320-acre Class I Municipal Solid Waste (MSW) facility operated by the Department of Solid Waste Management (DSWM). The current footprint of the SDLF consists of Cells 1 through 4. Cells 1 and 2 have approximately 60 acres of combined footprint area and are closed; the 50-acre Cell 3 is also closed; and the 50-acre Cell 4 is currently active and receiving Class I waste. The proposed Cell 5 occupies approximately 50 acres, with the inclusion of the storm water management system.

## **PROJECT DESCRIPTION**

The construction of Cell 5 will occupy approximately 50 acres, of which about 45 acres are for waste disposal. This project includes final grading of the site, construction and/or re-shaping of berms, installation of stormwater management system, installation of approximately 2 million square feet liner system, and installation of leachate collection/detection and transmission

system. Cell 5 will consist of two 6-acre sub-cells, and three 11-acre sub-cells. All of the subcells will have double liner systems, from top to bottom, consisting of a 2-foot thick liner protective layer of select granular fill; a leachate collection system (LCS) consisting of a geonet with non-woven geotextiles heat-bonded on both sides; a 60-mil thick textured High Density Polyethylene (HDPE) geomembrane primary liner; a leachate detection system (LDS) consisting of a geonet with non-woven geotextiles heat-bonded on both sides; a composite secondary liner, which consists of 60-mil thick textured HDPE geomembrane placed on top of a geosynthetic clay liner (GCL); and a 6-inch thick prepared subbase. This project will also include the construction of a sump area at each sub-cell. Each sump will be equipped with three (3) pumps.

**PROJECT LOCATION:** South Dade Landfill, 23707 SW 97 Avenue, Miami, FL 33190

**PRIMARY COMMISSION DISTRICT:** District 8, Daniella Levine-Cava

**APPROVAL PATH:** Board of County Commissioners

<b>PROJECT SITES:</b>	<b><u>SITE#</u></b>	<b><u>LOCATION</u></b>	<b><u>DIST</u></b>	<b><u>ESTIMATE</u></b>	<b><u>T-S-R</u></b>
	#76890	Solid Waste Non-Capital Project	8	\$16,522,500	56-21-40
	#70116	Solid Waste Capital Project	8	\$ 720,000	56-21-40

**Fiscal Impact / Funding Source**

<b>FUNDING SOURCE:</b>	<b>SOURCE</b>	<b>PROJECT NO.</b>	<b>SITE NO.</b>	<b>AMOUNT</b>
	Waste Disposal Operating Fund	505480	#76890	\$16,522,500
	Building Better Communities General Obligation Bond (BBC-GOB)	505480	#70116	\$ 720,000

Total Funding: **\$17,242,500**

**OPERATIONS COST IMPACT/FUNDING:** N/A

**MAINTENANCE COST IMPACT/FUNDING:** N/A

**PTP FUNDING:** No

**GOB FUNDING:** Yes

**ARRA FUNDING:** No

**SUSTAINABLE BUILDINGS ORDINANCE: (Ord. No. 07-65)**

This project does not qualify for compliance with the Sustainable Building Ordinance.

**BID PACKAGES ISSUED: 107**

**BIDS RECEIVED: 4**

**IG FEE INCLUDED IN BASE CONTRACT: Yes**

**ART IN PUBLIC PLACES: No**

<b>CONTINGENCY ALLOWANCE (SECTION 2-8.1 MIAMI DADE COUNTY CODE):</b>	<b>AMOUNT</b>	<b>TYPE</b>	<b>PERCENT (*)</b>	<b>COMMENT</b>
	\$1,567,500	Expansion of Existing Facilities	10% of base contract amount	Section 2-8.1 of the Code of Miami-Dade County

**TOTAL  
CONSTRUCTION  
COST:** **\$17,242,500**

**SBD HISTORY OF  
VIOLATIONS:** None

**EXPLANTION:** Comanco Environmental Corporation (Comanco) has been in business for 28 years, and has provided evidence of as many years of experience as a general contractor in very specialized construction work such as the on subject of this solicitation. Based on references submitted by the selected contractor, the findings were determined to be acceptable for the purposes of meeting the responsibility guidelines set forth in the bid documents. The County's Capital Improvements Information System (CIIS), however, showed no evaluations conducted on County contracts. In addition, County staff further conducted due diligence by obtaining Dun & Bradstreet (D&B) and Public Access to Court Electronic Records (PACER) reports (copy attached) on Comanco in order to determine the firm's financial and legal standings, which were determined to be acceptable after a responsibility review was completed on August 4, 2017.

**BID OPEN DATE:** 5/10/2017

**BID BOND EXPIRES:** 6/18/2018

**BID VALID UNTIL:** 6/18/2018

**ESTIMATED NOTICE  
TO PROCEED:** 5/01/2018

**PRIME  
CONTRACTOR:** Comanco Environmental Corporation

**COMPANY  
PRINCIPAL /  
QUALIFIER:**

Mark Allen Topp, President  
Certified General Contractor License No. CGC046467

**COMPANY STREET  
ADDRESS:**

4301 Sterling Commerce Drive, Plant City, FL 33511

**YEARS IN  
BUSINESS:**

28

**PREVIOUS  
CONTRACTS WITH  
COUNTY IN THE  
LAST FIVE YEARS:**

A Firm History Report from the Internal Services Department,  
Division of Small Business Development, reflects that Comanco  
has never been awarded a contract with the County.

**SUB  
CONTRACTORS  
AND SUPPLIERS  
(SECTION 10-34  
MIAMI DADE  
COUNTY CODE):**

Subcontractor and Supplier Listing Form has been submitted by  
Comanco (copy attached).

**MINIMUM  
QUALIFICATIONS:**

Yes. The special characteristics of this project warrant that  
specific requirements be added to the aforementioned bidders'  
qualifications.

**EXCEED LEGAL  
REQUIREMENTS:**

Section 00130, Special Provisions, Article 1.B, requires that the  
selected contractor meet the following responsibility requirements:

- 1) The selected Contractor shall have a minimum of five (5) years of experience on landfill projects involving construction of storm water drainage improvements, installation of geosynthetic liner or cover systems, and landfill gas collection systems. Additionally, the selected Contractor must have experience on at least two previous landfill projects in Florida of a type and magnitude similar to the construction of Cell 5 at the SDLF.
- 2) The selected Contractor's Construction Superintendent shall have a minimum of 10 years of experience on managing earthwork projects. The Construction Superintendent shall have directed a minimum of two previous landfill construction or closure projects involving the use of geosynthetic materials in the bottom liner or final cover. The County reserves the right to review and verify the qualifications and experience of the Construction Superintendent assigned to the

project by the selected Contractor, and to request a change if, at the sole discretion of the County, the Construction Superintendent assigned does not meet the minimum experience requirements identified above.

- 3) Geomembrane Manufacturer/Installer, manufacturers of other geosynthetic materials, and geosynthetic materials, shall meet experience requirements as provided for in Section 02770, Geomembranes. Bidders are directed to review Section 01423, Certification of Bidder's Experience and Qualifications, for more details as to the experience and qualifications required from the selected Contractor.

**STANDARD PAYMENT AND PERFORMANCE BOND:** Yes. Progress Payment, Payment Bond, and Performance Bond.

**REVIEW COMMITTEE:** **MEETING DATE:** N/A **SIGNOFF DATE:** 12/14/16

**USING/MANAGING AGENCY AND FUNDING SOURCE**

<b>Department</b> Department of Solid Waste Management (DSWM)	<b>Funding Source</b> Waste Disposal Operating Fund and Building Better Communities - General Obligation Bond (BBC- GOB)	<b>Project Manager</b> Luis Moreno, Construction Manager 3 DSWM
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**VENDOR(S) RECOMMENDED FOR AWARD**

An invitation to bid was issued under full and open competition on March 24, 2017. At the time of advertisement of this solicitation, prospective bidders were advised that a Recommendation for Contract Award would be conditioned upon the submittal of any documents required by the County as part of the bid evaluation process, including but not limited to, the schedule of values and project schedule. Prospective bidders were also advised that, at the sole discretion of the County, the Contract resulting from this Bid shall be awarded to the lowest responsive and responsible Bidder, meeting all requirements as set forth in the solicitation, and that the County reserved its right to reject any or all Bids, to waive irregularities or technicalities, and to re-advertise for all or any part of this Bid Solicitation as deemed in its best interest.

The Internal Services Department (ISD), through its Design and Construction Services Division (DCSD), collaborated with DSWM in conducting the bidding and award process. On May 10, 2017, the County received four (4) proposals, which were subsequently reviewed to determine the lowest responsive and responsible bidder (please refer to the attached Responsibility Review Memorandum dated August 7, 2017).

The lowest bidder was H & R Paving, Inc. However, a responsibility review of their submission, by the DSWM consultant and DSWM staff, revealed that H & R Paving, Inc. lacked the necessary experience in landfill projects. None of the projects listed in their bid was related to landfills - therefore failing to meet the required five-year experience. As a result, they were deemed non-responsible.

After deeming the lowest bidder non-responsible, the same responsibility review was conducted on the submission of the next lowest bidder, Comanco Environmental Corporation. Although found responsible, during the review, staff discovered a discrepancy between the numerical bid price (\$15,675,000) and the written bid price (\$15,000,675). Consequently, staff sought a legal opinion for responsiveness from the County Attorney's Office, which advised that such an error was not necessarily disqualifying, if supporting documentation and attestation were obtained (see attached).

Thereafter, ISD contacted Comanco Environmental Corporation to obtain clarification on their bid price and requested a Schedule of Values from the vendor for review. The documents supported the vendor's numerical bid price (\$15,675,000) and suggested that the written bid price was a scrivener's error.

The Department faced three options: accept the clarified bid price, move to the next lowest bidder, or reject all bids. DSWM determined that it was in the best interest of the County to accept the clarified bid price. Moving to the next lowest bidder would cost the County an additional \$200,000 in project costs, assuming that the next lowest bidder would be deemed responsible. The time required to reject all bids and rebid the project could compromise the County's permit with the State of Florida because of the amount of Hurricane Irma debris disposed of at DSWM's landfills in its aftermath.

<b>Awardee</b>	<b>Address</b>	<b>Principal</b>
Comanco Environmental Corporation	4301 Sterling Commerce Drive, Plant City, FL 33511	Mark A. Topp, President

#### **VENDORS NOT RECOMMENDED FOR AWARD**

<b>Proposers</b>	<b>Reason for Not Recommending</b>
H&R Paving, Inc.	Vendor's bid was lower than the recommended awardee's, but the bidder was found to be non-responsible
Construction Co., Inc.	Vendor's bid was higher than the recommended awardee's
The Redland Company, Inc.	Vendor's bid was higher than the recommended awardee's

**CONTRACT MEASURES:**

13.13% Small Business Enterprise-  
Construction (SBE-Cons) goal

4.00% Small Business Enterprise-Goods and  
Services (SBE-G&S) goal

10.00% Community Workforce Program (CWP)  
goal

**APPLICABLE WAGE:**

Miami-Dade County Responsible Wages,  
Heavy Category, 2018

**MANDATORY CLEARING HOUSE:**

Yes


**LOCAL PREFERENCE:**

Local Preference was considered for the  
purposes of this selection.

**PROJECT MANAGER:**

Luis Moreno, Construction Manager 3, DSWM

**BUDGET APPROVAL FOR  
AVAILABILITY OF  
FUNDS:**

  
\_\_\_\_\_  
OMB DIRECTOR

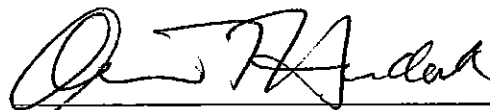
3/6/18  
DATE

**APPROVED AS TO LEGAL  
SUFFICIENCY:**

  
\_\_\_\_\_  
COUNTY ATTORNEY

3/6/18  
DATE

**APPROVED:**

  
\_\_\_\_\_  
COUNTY MAYOR

3/6/18  
DATE

**CLERK DATE:**

\_\_\_\_\_  
DATE

**BCC DATE:**

\_\_\_\_\_  
DATE



**SUBCONTRACTOR/SUPPLIER LISTING**  
(Miami-Dade County Code, Sections 2-8.1, 2-8.8 and 10.34)

Firm Name of Prime Contractor: COMANCO Environmental Corporation FEIN No.: 65-0398101

Contract Number: 14S003 Project Name: Construction of South Dade Landfill Cell 5

In accordance with Sections 2-8.1, 2-8.8 and 10.34 of the Miami-Dade County Code, this form must be submitted as a condition of award by all bidders/respondents on County contracts for purchase of supplies, materials or services, including professional services which involve expenditures of \$100,000 or more, and all bidders/respondents on County or Public Health Trust construction contracts which involve expenditures of \$100,000 or more. The bidder/respondent who is awarded this bid/contract shall not change or substitute first tier subcontractors or direct suppliers or the portions of the contract work to be performed or materials to be supplied from those identified, except upon written approval of the County. The bidder/respondent should enter the word "NONE" under the appropriate heading of this form if no subcontractors or suppliers will be used on the contract and sign this form below.

In accordance with Ordinance No. 11-80, an entity contracting with the County shall report the race, gender and ethnic origin of the owners and employees of all first tier subcontractors/suppliers. In the event that the successful bidder demonstrates to the County prior to award that the race, gender, and ethnic information is not reasonably available at that time, the successful bidder shall be obligated to exercise diligent efforts to obtain that information and provide the same to the County not later than ten (10) days after it becomes available and, in any event, prior to final payment under the contract. (Please duplicate this form if additional space is needed)

Business Name and Address of First Tier Subcontractor/ Subconsultant	Principal Owner	Scope of Work to be Performed by Subcontractor/ Subconsultant	Principal Owner (Enter the no. of male and female owners by race/ethnicity)									Employee(s) (Enter the no. of male and female employees and the no. of employees by race/ethnicity)								
			Gender		Race/Ethnicity							Gender		Race/Ethnicity						
			M	F	White	Black	Hispanic	Asian/Pacific Islander	Native American/Native Alaskan	Other	M	F	White	Black	Hispanic	Asian/Pacific Islander	Native American/Native Alaskan	Other		
Complete Power, Miami Springs, FL	Michael Ashford/Glenn Davis	Electrical	2		2							6	1	3	1	3				
Homestead Concrete, Homestead, FL	Alfredo Cordero	Concrete	1				1					40	4	1	6	37				
Jennings Engineering & Constr., Miami, FL	Kevlin Jennings	Sitework and Misc. Activities	1				1					4		4						
Business Name and Address of First Tier Direct Supplier	Principal Owner	Supplies/Materials /Services to be Provided by Supplier	Principal Owner (Enter the no. of male and female owners by race/ethnicity)									Employee(s) (Enter the no. of male and female employees and the no. of employees by race/ethnicity)								
			Gender		Race/Ethnicity							Gender		Race/Ethnicity						
			M	F	White	Black	Hispanic	Asian/Pacific Islander	Native American/Native Alaskan	Other	M	F	White	Black	Hispanic	Asian/Pacific Islander	Native American/Native Alaskan	Other		
Cofcel, Miami, FL	Ray, Raul, Ricardo, Roque Corcora, Esther Castiglia Pipe, etc.		3				3					4	2	1	6					
Sunset Sod, Miami, FL	Kathy Hernandez	Sod and Sod Installation			1			1				7	2		3	3				
Biscayne Engineering, Miami, FL	George and Mary Bolton	Survey and As-Builts	1	1	2							33	9	13	8	21				

Mark here if race, gender and ethnicity information is not available and will be provided at a later date. This data may be submitted to Contracting/User department or on-line to the Small Business Development Division of the Regulatory and Economic Resources Department at <http://www.miamidade.gov/business/business-development.asp>

I certify that the representations contained in this Subcontractor/Supplier listing are to the best of my knowledge true and accurate.

  
Signature of Bidder/Respondent

Mark A. Topp

Print Name

President

Print Title

May 9, 2017

Date

SUB 100 Revised 6/2012



## Small Business Development Division Project Worksheet

Project/Contract Title: SOUTH DADE LANDFILL CELL 5 CONSTRUCTION  
 Project/Contract No: 14S003  
 Department: PUBLIC WORKS AND WASTE MANAGEMENT  
 Estimated Cost of Project/Bid: \$16,142,089.00

Funding Source:  
 WASTE DISPOSAL  
 OPERATING FUND

Received Date: 12/05/2016

Resubmittal Date(s): 12/01/2016

Description of Project/Bid: To establish a contract for the construction of South Dade Landfill Cell 5 to include: Installation of a double liner system consisting of a 60-mil textured HDPE geomembrane clay liner (GCL) with a maximum hydraulic conductivity of  $1 \times 10^{-7}$  cm/sec, associated leachate collection, detection and pumping systems including the completion of the storm water management system, and the construction of a disposal area.

Contract Measure Recommendation		
Measure	Program	Goal Percent
Goal	SBE/OS	4.00%
Goal	SBE/CONS	13.13%
Workforce Goal	CWP	10.00%

Reasons for Recommendation:
<p><b>SMALL BUSINESS ENTERPRISE - CONSTRUCTION (SBE/CONS)</b>          An analysis of the factors contained in Section VI. C. of Implementing Order 3-22 indicates that a 13.13% Small Business Enterprise - Construction (SBE-CONS) subcontractor goal is appropriate for the trades of Electrical Contractors &amp; Other Wiring Installation Contractors (1.55%-Electrical) and Site Preparation Contractors (11.58%-Site Work).</p> <p><b>SMALL BUSINESS ENTERPRISE - GOODS &amp; SERVICES (SBE/OS)</b>          An analysis of the factors contained in section VIII. B. of Implementing Order 3-41 &amp; Ordinance 14-41 indicates that a 4.0% is appropriate for the goods and services portion of this contract in Landscaping (Including Design, Fertilizing, Planting, Etc. But Not Grounds Maintenance or Tree Trimming Services) (1.33%) (98852), Lightweight Aggregate, All Types (0.46%) (75056) and Miscellaneous Services (2.54%) (96900).</p> <p>CWP Estimated Workforce: CWP Workforce Recommendation:          CWP Designated Target Areas: CDBG Eligible Block Groups          Commodity Code: 75056-Lightweight Aggregate, All Types; 962-Miscellaneous Services; 96877-Surveying (Not Aerial Or Research); 98852-Landscaping (Including Design, Fertilizing, Planting, Etc., But Not Grounds Maintenance Or Tree Trimming Services)          Trade Category: 238210-Electrical Contractors And Other Wiring Installation Contractors; 238910-Site Preparation Contractors</p>

Small Business Contract Measure Recommendation				
Subtrade	Cal.	Estimated Value	% of Items to Base Bid	Availability
Landscaping (Including Design, Fertilizing, Planting, etc., But Not Grounds Maintenance or Tree Trimming Services)	SBE/OS	\$161,420.89	1.00%	
Electrical Contractors and Other Wiring Installation Contractors	SBE/CONS	\$250,202.38	1.55%	
Surveying (not Aerial Or Research)	SBE/OS	\$74,253.61	0.46%	
Miscellaneous Services	SBE/OS	\$410,009.06	2.54%	
Site Preparation Contractors	SBE/CONS	\$1,869,253.91	11.58%	
Total		\$2,765,139.85	17.13%	

Living Wages: YES ☐ NO ☒ Highway: YES ☐ NO ☒ Heavy Construction: YES ☒ NO ☐  
 Responsible Wages: YES ☒ NO ☐ Building: YES ☐ NO ☒

Responsible Wages and Benefits applies to all construction projects over \$100,000 that do not utilize federal fund. For federally funded projects, unless prohibited by federal or state law or disallowed by a governmental funding source, the HIGHER wage between Davis Bacon and Responsible Wages and Benefits shall apply.



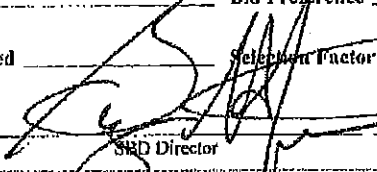
Small Business Development Division  
Project Worksheet

Project/Contract Title: SOUTH DADE LANDFILL CELL 5 CONSTRUCTION  
Project/Contract No: 14S003  
Department: PUBLIC WORKS AND WASTE MANAGEMENT  
Estimated Cost of Project/Bid: \$16,142,089.00

Funding Source:  
WASTE DISPOSAL  
OPERATING FUND

Received Date: 12/05/2016

Resubmittal Date(s): 12/01/2016

REVIEW RECOMMENDATION			
Tier 1 Set Aside _____		Tier 2 Set Aside _____	
Set Aside _____	Level 1 _____	Level 2 _____	Level 3 _____
Trade Set Aside (MCC) _____		Goal _____	Bid Preference _____
No Measure _____		Deferred _____	Selection Factor _____
CWP _____	 SBD Director		12-14-16 Date

# Memorandum



**Date:** August 7, 2017

**To:** Olga Espinosa-Anderson, MPA, CPPB, Director  
Procurement and Contracts Management Division  
Department of Solid Waste Management

**From:** Fernando V. Ponassi, MA Arch, MA PPA, LEED@AP  
Manager, Contracts Administration Section, DCS  
Internal Services Department

**Subject:** South Dade Landfill Construction of Cell No. 5, Contract No. 14S003, Report on Review of Bids

The County advertised the referenced solicitation on March 24, 2017, pursuant to Sections 2-8.1 of the Code of Miami-Dade County. At the time of advertisement, the invitation to bid on this contract advised prospective bidders that a recommendation for contract award would be conditioned upon the submittal of all documents required by the County as part of the bid evaluation process including, but not limited to, a schedule of values and a project schedule. The Internal Services Department (ISD) conducted the selection process for a responsive and responsible contractor on behalf of the owner, the Department of Solid Waste Management (DSWM).

Four (4) bid packages were received by the Clerk of the Board on May 10, 2017, in response to this solicitation. Bids were opened during a public meeting, which was scheduled on the County calendar, and read aloud by ISD staff; please refer to the attached Bid Tally Sheet for further details on the bid amounts involved. Upon conclusion of the bid opening, ISD staff initiated the bid review phase, with the objective of determining the responsiveness and responsibility of the bidders. The initial bid review found that H&R Paving, Inc. (H&R) was the apparent lowest responsive bidder, followed by Comanco Environmental Corporation (Comanco), Thalle Construction Co., Inc. and The Redland Company, Inc. All bidders were deemed compliant with the Small Business Enterprise Construction (SBE/Cons) and the Small Enterprise Goods & Services (SBE/G&S) programs<sup>(1)</sup>. The chart below indicates the ranking of bids (base bid only):

Respondent	Base Bid	Ranking
H&R Paving, Inc.	\$13,811,877.20	1
Comanco Environmental Corporation	\$15,675,000.00 <sup>(2)</sup>	2
Thalle Construction Co.	\$15,875,000.00	3
The Redland Company, Inc.	\$17,249,000.00	4

<sup>(1)</sup> Pursuant to a memorandum from Gary Hartfield, Director, Small Business Development Division, ISD dated June 2, 2017 (Exhibit A).

<sup>(2)</sup> On May 10, 2017, ISD requested the County Attorney's Office to render a responsiveness opinion on Comanco's bid proposal. The initial review found a discrepancy between the bid price indicated in numerals (\$15,675,000) and the bid price indicated in words (Fifteen Million Six Hundred and Sixty Five Dollars). The full content of the legal opinion is attached to this review for your convenience (Exhibit B).

Upon determining that H&R was the apparent lowest responsive bidder, ISD requested the technical staff from DSWM and Kimley-Horn, the Engineer of Record under contract with DSWM, to collaborate on a responsibility review of the firm on May 15, 2017. The review included verifying Form 00130F, Prime Contractor Responsibility Requirements Form, as well as any other supporting documentation related to H&R's past performance as submitted by H&R in its bid proposal. Form 00130F presented the following requirements:

"The special characteristics of this project, however, warrant that specific requirements be added to the afore-mentioned bidders' qualifications. Section 00130, Special Provisions, Article 1.B, requires that the selected contractor meet the following responsibility requirements:

- 1) The selected Contractor shall have a minimum of five (5) years of experience on landfill projects involving construction of storm water drainage improvements, installation of geosynthetic liner or cover systems, and landfill gas collection systems. Additionally, the selected Contractor must have experience on at least two previous landfill projects in Florida of a type and magnitude similar to the construction of Cell 5 at the SDLF.
- 2) The selected Contractor's Construction Superintendent shall have a minimum of 10 years of experience on managing earthwork projects. The Construction Superintendent shall have directed a minimum of two previous landfill construction or closure projects involving the use of geosynthetic materials in the bottom liner or final cover. The County reserves the right to review and verify the qualifications and experience of the Construction Superintendent assigned to the project by the selected Contractor, and to request a change if, at the sole discretion of the County, the Construction Superintendent assigned does not meet the minimum experience requirements identified above.
- 3) Geomembrane Manufacturer/Installer, manufacturers of other geosynthetic materials, and geosynthetic materials, shall meet experience requirements as provided for in Section 02770, Geomembranes. Bidders are directed to review Section 01423, Certification of Bidder's Experience and Qualifications, for more details as to the experience and qualifications required from the selected Contractor.

The Prime Contractor shall be required to provide a list of Example Projects that demonstrate the Firm's key individuals' ability and experience to successfully plan and complete the project. The Prime Contractor and all Major Subcontractors are required to perform their due diligence to ensure that all references submitted are up to date, and have current contact persons' name, company name, company position, phone numbers, fax numbers, and e-mail addresses, which are spelled and listed correctly prior to the date of submission. All documentation submitted to support these requirements will be subject to verification by County staff. Potential bidders are required to include in their bid submissions any and all information necessary to establish their satisfaction of the minimum requirements in this section, general information regarding their companies' management and operations, financial resources, bonding capacity, payment of subcontractors, and a history of commenced and completed projects in order to support these requirements. The County shall be authorized to request from the bidder any and all information which the County may reasonably require to determine the bidder's and Major Subcontractor's compliance with this section. Failure to provide such information may be considered by the County in its determination of compliance. Upon determination of the apparent lowest responsive bidder, the County shall review further its qualifications including verification of, but not limited to, the firm's past performance, the capacity of its personnel to perform the services, available business

and litigation reports, financial condition, integrity, capability, experience, and quality of services provided under other contracts. The County shall make determinations of the bidder's compliance with the requirements of this section in its sole discretion, and the County's decision shall be final."

On May 24, 2017, DSWM's technical staff concurred with the initial assessment by Kimley-Horn, issued on May 17, 2017, that H&R did not comply with the minimum requirements and qualifications set forth in the solicitation documents. The review cited that H&R "did not submit any documents showing relevant experience." The conclusion also indicated, "the combined total experience submitted, is not in compliance with the minimum five years requirement." As a result, H&R was deemed a non-responsible bidder. A summary of the specific components, and the result of the responsibility review, are provided herein (Exhibit C).

As a result, a determination was made to conduct a similar responsibility review on the second-lowest bidder, Comanco. On May 24, 2017, ISD requested the technical staff from DSWM and Kimley-Horn to collaborate on a responsibility review of Comanco. The review included verifying Form 00130F, Prime Contractor Responsibility Requirements Form, as well as any other supporting documentation related to Comanco's past performance as submitted by Comanco in its bid proposal. On June 7, 2017, DSWM's technical staff concurred with the initial assessment by Kimley-Horn, issued on June 1, 2017, that Comanco complied with the minimum requirements and qualifications set forth in the solicitation documents. The review cited that Comanco "provided more than ten projects in Florida that are like the Cell 5 project." The conclusion also indicated that Comanco was "established in 1989 as an environmental and civil construction company specializing in landfill cell expansions and closures. Therefore, they have over 27 years of experience in this type of work." Please refer to Exhibit D, attached.

Subsequently, on June 20, 2017, the County Attorney's Office (CAO) rendered its opinion on the discrepancy found on Comanco's bid proposal; the full content of the legal opinion is attached to this review for your convenience (Exhibit B). In summary, the CAO advised ISD to "immediately contact Comanco in writing, alerting it to the discrepancy in its bid and request that Comanco provide evidence to support the correct bid amount, including sworn affidavits, bid worksheets, and subcontractor quotes." This task was completed between June 26, 2017, when ISD informed Comanco of the found discrepancy, and July 6, 2017, when Comanco submitted additional documentation to support its request to have the May 10, 2017 bid price corrected to read \$15,675,000; please refer to Exhibit E, attached. In addition, the CAO had advised ISD to "contact the bonding company that issued Comanco's bid bond to request information and documentation to indicate the bid amount upon which the bid bond was issued." This task was completed between June 26, 2017, when ISD contacted the bonding company that issued Comanco's bid bond, and July 18, 2017, when the bonding company submitted additional documentation to support the price of \$15,675,000 as the intended bid proffered by Comanco; please refer to Exhibit F, attached.

In addition to the responsibility review conducted by DSWM's management staff and Kimley-Horn, ISD further inquired as to Comanco's level of staffing to perform the required services, reviewing available financial, business and litigation reports, and conducting web searches. This information is used to verify the firms' financial condition, integrity, capability, experience, and quality of services provided under other contracts.

**Comanco Environmental Corporation**

**Responsibility Review**

Pursuant to Section 00130, Article 4, Section 1, and Section 2-8.1(g) of the Code of Miami-Dade County, "a bidder's or proposer's performance as a prime contractor or subcontractor on previous County contracts shall be taken into account in evaluating bids and proposals received for County contracts." Consequently, ISD staff conducted a responsibility review on Comanco; the following chart provides the results of such review in regards to the referenced construction contract with DSWM:

<b><u>Component</u></b>	<b><u>Purpose</u></b>
Past Performance on County Projects	<p>Past performance on County projects was considered in accordance with Section 2-8.1(g) of the Miami-Dade County Code.</p> <p><i>County records show no contracts awarded to Comanco. As a result, there are no performance evaluations available.</i></p>
Past Performance on Similar Projects	<p>Past performance on other similar projects was verified against information contained in the proposal, to ascertain the quality of the services provided, and as an indicator of potential performance on future contracts.</p> <p><i>Comanco's portfolio of previous projects suggests that the firm appears to have the capability associated with the type of construction required to execute the referenced project.</i></p>
Capacity of Personnel to Perform the Services	<p>Verification that the firm has the appropriate level of personnel, number of personnel, available resources, etc.</p> <p><i>Comanco presented several references, which ISD staff attempted to verify. References consulted indicated that the contractor was reliable, had great management staff, and appeared to have the capacity to execute these projects.</i></p>
Due Diligence Verification	<p>Verification that the firm is eligible for contract award and is compliant with certain County requirements. The verification includes checking the following reports:</p> <ul style="list-style-type: none"> <li>▪ Contractor Debarment</li> <li>▪ History of Violations</li> <li>▪ Federal Excluded Parties List</li> <li>▪ Convicted Vendors List - State</li> <li>▪ Debarred Contractors</li> <li>▪ Delinquent Contractors</li> <li>▪ Deficit Make-up Report</li> <li>▪ Suspended Contractor</li> <li>▪ Suspended Vendors State</li> <li>▪ Small Business Development Division (SBD) Reports</li> <li>▪ State of Florida Corporations</li> </ul> <p><i>A due diligence verification has been performed on Comanco, with no deficiencies to report on County contracts. Comanco has not had contracts awarded by Miami-Dade County.</i></p>

Component (Continued)	Purpose (Continued)
Business and Litigation Reports showing Comanco Environmental as a party to a lawsuit	<p>Review:</p> <ul style="list-style-type: none"> <li>▪ Pacer Report (case and docket information from federal appellate, district, and bankruptcy courts):               <ol style="list-style-type: none"> <li>1) <i>U.S. Bankruptcy Court Southern District of New York (U.S. Trustee)/Comanco Environmental Corporation (Creditor) vs. Westinghouse Electric Company, LLC, (Debtor) - Filed on 3/29/2017, in progress</i></li> <li>2) <i>U.S. Bankruptcy Court Middle District of Florida (U.S. Trustee)/Comanco Environmental Corporation (Creditor) vs. HRK Holdings (Debtor) - Filed on 6/27/2012, final decree issued on 3/20/2017</i></li> <li>3) <i>U.S. Bankruptcy Court District of Delaware (U.S. Trustee)/ Comanco Environmental Corporation (Creditor) vs. GSE Environmental, Inc. (Debtor) - Filed on 5/4/2006, final decree issued on 10/4/2016</i></li> <li>4) <i>U.S. Bankruptcy Court Middle District of Florida (U.S. Trustee)/Comanco Environmental Corporation (Creditor) vs. Florida Grande Motor Coach Resort, Inc. (Debtor) - Filed on 5/15/2007, final decree issued on 6/26/2008</i></li> <li>5) <i>Official Committee of Unsecured Creditors of the IT Group (Plaintiff) vs. Comanco Environmental Corporation (Defendant) - Filed on 1/9/2004, dismissed on 4/1/2005</i></li> <li>6) <i>Tenax Corporation (Plaintiff) vs. Comanco Environmental Corporation (Defendant) - Filed on 1/30/2012, dismissed with prejudice on 5/3/2012</i></li> </ol> </li> <li>▪ Dun &amp; Bradstreet Report (credit and financial information for business assessment and validation) <i>A report obtained by ISD staff is hereby attached as Exhibit G.</i></li> </ul>

### **Conclusion**

A careful and detailed review of the information provided by, and collected on, Comanco established that the firm has the:

- Appropriate financial capacity to carry out this contract<sup>(3)</sup>;
- Substantial technical and management capacity with the required expertise to perform the services described in the scope of work for the referenced project; and
- Sound procedures and tools in place to ensure timely payments to their subcontractors and suppliers.

The results of the County's responsibility review indicate that the Comanco team has the technical and financial resources and capacity required to carry out the contractual responsibilities to complete this contract effectively. As a result, and concerning issues of capacity for the referenced contract, Comanco is found to be a responsible firm.

<sup>(3)</sup> DSWM is responsible to determine whether the contract can be awarded under the price conditions proffered by Comanco. Pursuant to Article 4(G) of the Special Conditions, the County, through DSWM, reserves the right to negotiate prices with the lowest responsive and responsible bidder, provided that the scope of work of this solicitation remains the same.



## EXHIBIT A

EXHIBIT A

Memorandum



**DATE:** June 2, 2017

**TO:** Asael Marrero, Division Director  
Internal Services Department  
Design and Construction Services

**FROM:** Gary Hartfield, Division Director  
Internal Services Department  
Small Business Development

**SUBJECT:** Compliance Review  
Project No. 14S003  
South Dade Landfill Construction of Cell No. 5

Small Business Development (SBD), a Division of the Internal Services Department, has completed its review of the subject project for compliance with the Small Business Enterprise (SBE/Cons) Program for Construction Services and Small Business Enterprise Goods & Services (SBE/G&S). The contract measures established for this project are a 13.13% SBE/Cons goal and a 4% SBE/G&S goal.

The Design & Construction Services Division of the Internal Services Department (ISD) has submitted bid documents from Prime: The Redland Company, Inc., COMANCO Environmental Corporation, Thalle Construction Company, Inc. and H&R Paving, Inc. for compliance review. Following is the pre-award compliance status and summary.

**FIRM:**

1. The Redland Company, Inc.,
2. COMANCO Environmental Corporation
3. Thalle Construction Company, Inc.
4. H&R Paving, Inc.

**STATUS:**

Compliant  
Compliant  
Compliant  
Compliant

**SUMMARY:**

The Redland Company, Inc., (#1) submitted the required Schedule of Intent Affidavit (SOI) listing, Kailas Corp. d/b/a Kailas Contractors, a certified SBE/Cons firm to perform (NAICS) category, 238910 (Site Preparation Contractor) at 13.13%, in satisfaction of the 13.13% SBE/Cons goal. The SOI was signed and dated by the proposer, prime contractor and SBE/Cons sub-contractor in agreement with the information listed.

The Redland Company, Inc., also submitted the required Schedule of Intent Affidavit (SOI) listing, Micar Trucking, Inc., a certified SBE/G&S firm to provide (NIGP) category, 74500 (Road And Highway Building Materials, Asphaltic), 75000 (Road And Highway Building Materials, Not Asphaltic) and 72000 (Pumping Equipment and Accessories), 76000 (Road And Highway Equipment: Earth Handling, Grading and Moving, Packing, Etc.) at 4%, in satisfaction of the SBE/G&S goal. The SOI was signed and dated by the prime and sub-contractor, in agreement with the information listed.

The Redland Company, Inc., has satisfied the contract's 13.13% SBE/Cons and 4% SBE/G&S sub-contractor goals and is in compliance with the overall Small Business measure established for this contract.

COMANCO Environmental Corporation, (#2) submitted the required Schedule of Intent Affidavits (SOI's) listing, Homestead Concrete & Drainage, Inc., a certified SBE/Cons firm to perform (NAICS) categories, 236220 (Commercial and Institutional Building Construction) at 1.05% and IMR Contracting Corp. d/b/a Jennings

Engineering and Construction, certified SBE/Cons firm to perform (NAICS) categories 236210 (Industrial Building Construction) at 12.5% in satisfaction of the 13.13% SBE/Cons goal. The SOI's were signed and dated by the prime contractor and sub-contractors in agreement with the information listed.

COMANCO Environmental Corporation, also submitted the required Schedule of Intent Affidavits (SOI's) listing, Biscayne Engineering Company, Inc., a certified SBE/G&S firm to provide (NIGP) category, 96460 (Land Surveying) and 92500 (Engineering Services, Professional) at 0.19% and Corcel Corp. a certified SBE/G&S firm to provide (NIGP) category 65800 Pipe, Tubing, and Accessories - Not Fittings), 65900 (Pipe and Tubing Fittings) and 67000 (Plumbing Equipment, Fixtures, and Supplies) at 3.14% and Sunset Sod, Inc. a certified SBE/G&S firm to provide (NIGP) category, 79000 (Seed, Sod, Soil, and Inoculants) at 1.1% in satisfaction of the 4% SBE/G&S goal. The SOI's were signed and dated by the prime and sub-contractors, in agreement with the information listed.

COMANCO Environmental Corporation, has satisfied the contract's 13.13% SBE/Cons and 4% SBE/G&S sub-contractor goals and is in compliance with the overall Small Business measure established for this contract.

Thalle Construction Company, Inc., (#3) submitted the required Schedule of Intent Affidavits (SOI's) listing, Placeres Construction, Inc., a certified SBE/Cons firm to perform (NAICS) category, 238210 (Electrical Contractors and Other Wiring Installation Contractors) at 2.59% and Zahlene Enterprises, Inc. a certified SBE/Cons firm to perform (NAICS) category 238910 (Site Preparation Contractors) at 10.8% for in satisfaction of the 13.13% SBE/Cons goal. The SOI's were signed and dated by the prime contractor and sub-contractors in agreement with the information listed.

Thalle Construction Company, Inc., also submitted the required Schedule of Intent Affidavits (SOI's) listing, Micar Trucking, Inc., a certified SBE/G&S firm to provide (NIGP) category, 74500 (Road And Highway Building Materials, Asphaltic), 75000 (Road And Highway Building Materials (Not Asphaltic) and 72000 (Pumping Equipment and Accessories 76000 (Road And Highway Equipment: Earth Handling, Grading and Moving, Packing, Etc.) at 1.7 %, Sunset Sod, Inc. a certified SBE/G&S firm to provide (NIGP) category, 79000 (Seed, Sod, Soil, and Inoculants) at 1.23% and Corcel Corp. a certified SBE/G&S firm to provide (NIGP) category 65800 Pipe, Tubing, and Accessories - Not Fittings), 65900 (Pipe and Tubing Fittings) and 67000 Plumbing Equipment, Fixtures, and Supplies) at 1.2% in satisfaction of the 4% SBE/G&S goal. The SOI's were signed and dated by the prime and sub-contractors, in agreement with the information listed.

Thalle Construction Company, Inc., has satisfied the contract's 13.13% SBE/Cons and 4% SBE/G&S sub-contractor goal, and is in compliance with the overall Small Business measure established for this contract.

H&R Paving, Inc., (#4) submitted the required Schedule of Intent Affidavit (SOI) listing, Quality Construction, Performance, Inc., a certified SBE/Cons firm to perform (NAICS) category, 238910 (Site Preparation Contractors) at 20% in satisfaction of the 13.13% SBE/Cons goal. The SOI was signed and dated by the prime contractor and sub-contractor in agreement with the information listed.

H&R Paving, Inc., also submitted the required Schedule of Intent Affidavits (SOI's) listing, Quality Construction, Performance, Inc., a certified SBE/G&S firm to provide (NIGP) category, 91831 (Construction Consulting) and 96847 (Inspection Services, Construction Type) at 5% in satisfaction of the 4% SBE/G&S goal. The SOI was signed and dated by the proposer, prime and sub-contractor, in agreement with the information listed.

H&R Paving, Inc., has satisfied the contract's 13.13% SBE/Cons and 4% SBE/G&S sub-contractor goals and is in compliance with the overall Small Business measure established for this contract.

SBD has verified that none of the aforementioned firms are listed on the Goal Deficit Make-Up Report as of May 1, 2017. Also, a review of the History of Violations Report as of May 19, 2017 indicates that none of the aforementioned firms have an open violation.

Please note that SBD staff reviewed and addressed compliance with the SBE/Cons and SBE/G&S Programs. The Design & Construction Services Division of the Internal Services Department is responsible for any other issues that may exist. Should you have any questions or need any additional information, please do not hesitate to call Pedro Rosa at (305) 375-3104.

c: Fernando Ponassi, DCSD, ISD  
Laurie Johnson, ISD,

EXHIBIT B

EXHIBIT B



**MIAMI-DADE COUNTY  
COUNTY ATTORNEY'S OFFICE**

**To:** Fernando Ponassi  
Manager, Contract Administration Section  
Internal Services Department, Design and Construction Services Division

**From:** Monica Rizo Perez  
Assistant County Attorney

**Re:** Project No. 14S003: Construction of the South Dade Landfill Cell 5

**Date:** June 20, 2017

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You have asked this office for a legal opinion as to whether COMANCO Environmental Corporation ("Comanco") is responsive to the solicitation Project No. 14S003: Construction of the South Dade Landfill Cell 5 ("Solicitation") because of a discrepancy in Comanco's bid between the base bid, as written in letters, and the base bid, as written in numerical figures. For the reasons and in accordance with the provisos set forth below, the administration may notify Comanco of the discrepancy and allow Comanco an opportunity to correct its bid.

**FACTS**

We rely on the information provided in your memorandum dated May 10, 2017, the Solicitation provided via CD, and the copy of the bid submitted by Comanco. The Solicitation, in Section 4 titled "Pricing and Award of Contract" of the Special Provisions in the General Documents provides that:

D. Method of Award: The Contract resulting from this Bid shall be awarded to the lowest responsive and responsible Bidder meeting all requirements as set forth in the solicitation. The County reserves the right to reject any and all Bids, to waive irregularities or technicalities, and to re-advertise for all or any part of this Bid Solicitation as deemed in its best interest. The County shall be the sole judge of its best interest.

Further, the advertisement for the Solicitation states that:

Prospective bidders are advised that . . . the Contract resulting from this Bid shall be awarded to the lowest responsive and responsible Bidder, meeting all requirements as set forth in the solicitation to the sole discretion of the County. The County reserves the right to reject any or all Bids, to waive irregularities or technicalities, and to re-advertise for all or any part of this Bid Solicitation as deemed in its best interest. The County shall be the sole judge of its best interest.

The bid form asked bidders to provide a lump sum bid price "to furnish and install all material, equipment and labor for the construction of the South Dade Landfill Cell 5, including Completed Value Builders' Risk Insurance" in a "Bid Amount (In Letters)" with a space to spell out the bid amount and then in a "Base Bid (In Figures): \$" followed by a space for bidders to include their numerical bid. Comanco submitted a bid which had as its "Bid Amount (In Letters)" the following: "Fifteen Million Six Hundred Seventy Five Dollars and Zero Cents" or, \$15,000,675.00" and as its "Based Bid (In Figures)" the following: \$15,675,000.00.

You have advised this office that in either event, whether the bid is \$15,000,675.00 or \$15,675,000.00, Comanco is the lowest, responsible bidder.

### DISCUSSION

The purpose of competitive bidding is to secure the lowest responsible price for the government. *City of Sweetwater v. Solo Const. Corp.*, 823 So. 2d 798, 802 (Fla. 3d DCA 2002) ("Florida's competitive bid statutes are enacted for the protection of the public. They create a system by which goods or services required by public authorities may be acquired at the lowest possible cost. . . . The principal benefit to the public authority is the opportunity of purchasing the goods and services required of it at the best price obtainable.") Accordingly, and in furtherance of securing the best price for the government, the government may waive minor variances or immaterial irregularities in a bid. *See Robinson Electric Co. v. Dade County*, 417 So.2d 1032, 1034 (Fla. 3d DCA 1982); *see also Harry Pepper & Ass., Inc. v. City of Cape Coral*, 352 So. 2d 1190, 1192-1193 (Fla. 2d DCA 1977).

In this case, there is clearly an irregularity in Comanco's bid: there is a discrepancy between the bid amount as spelled out in words (\$15,000,675.00) and the bid amount as set forth in numerical figures (\$15,675,000.00). It appears, on the face of the bid, that Comanco made a mistake, or scrivener's error, with inputting one of its figures when preparing its bid. However, this mistake does not automatically disqualify Comanco; federal regulations and decisions of the Comptroller General provide guidance on what should be done in this instance.

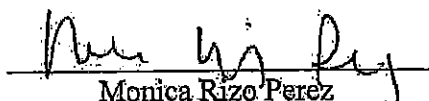
First, the government must have "clear and convincing evidence that a mistake was made." *Matter of: Mid Eastern Builders, Inc.*, B-290717 at \*2 (Comp. Gen. Sept. 9, 2002). Second, the government must confirm that, even after any correction, the bid would still "remain low after correction." *Id.* Third, the contracting officer for the administration should immediately contact the bidder and put the bidder "on notice of a mistake suspected by the contracting officer" and request that the bidder verify its bid. *See* 48 C.F.R. § 14.407-3(g)(1) ("Action taken to verify bids must be sufficient to reasonably assure the contracting officer that the bid as confirmed is without error, or to elicit the allegation of a mistake by the bidder.") Fourth, the bidder then has an opportunity, after acknowledging a mistake, to request that its bid be modified. *Id.* at (g)(2). The bidder's request to modify its bid must be supported with sworn statements and all pertinent evidence to support the correct bid (such as the bidder's file copy of its bid, its original worksheets, subcontractor's quotations, published list prices, and any other data that establishes the existence of the error, the manner in which it occurred and the bid actually intended). *Id.* The government can then, weighing all of the evidence provided by the bidder, decide whether to allow the bidder to correct its bid. *Id.* at (g)(3)(v)(G).

In the *Matter of: Mid Eastern Builders, Inc.*, B-290717 at \*1 (Comp. Gen. Sept. 9, 2002), the Comptroller General rejected a bid protest challenging the government's decision to

allow a low bidder to provide evidence of its intended bid after a mistake was evident from the bids submitted. In that matter, one of the bidders submitted in its bid package two bids with the price \$7,178,689 and a third bid with the price \$2,178,689. *Id.* The government thereafter wrote to the bidder requesting that it provide evidence to clarify its bid price and received, in response, affidavits from three employees of the company involved in the bid preparation process stating that the intended bid was \$7,178,689 and computerized worksheets with each component of its bid showing a total of \$7,178,689. *Id.* at \*1-2. Further, the government contacted the bid bonding company to seek clarification regarding the bid amount upon which the bid bond was based and received a reply that the approximate amount of the bid was \$8.0 million. *Id.* at \*2. In upholding the government's decision to allow the low bidder to correct its bid, the Comptroller General noted that (1) sufficient evidence was presented to the government to demonstrate that \$7,178,689, and not \$2,178,689, was the correct bid and that the lower amount was the result of a clerical error, (2) the government obtained independent confirmation from the bonding company regarding the amount on which the bid bond was based, and (3) in either event, no bidder was displaced or harmed by allowing the correction because the higher price of \$7,178,689 still had the company as the lowest bidder.

Here, it is unequivocal that a mistake was made: Comanco's bid form had two different bid prices that were only 4% apart in value and that resulted from either a misstep in translating the numerical base bid into the spelled-out base bid or vice-versa. In other words, either (1) the bid amount in letters was missing one word: "Fifteen Million Six Hundred Seventy Five Thousand Dollars and Zero Cents" to match up with the written number \$15,675,000.00 or, (2) the base bid in letters was correct and the base bid in figures mistakenly moved up the "675" figure by three place values and should have instead been "\$15,000,675.00." In either event, Comanco's bid is still the lowest bid.<sup>1</sup> Thus, Comanco will derive no competitive advantage over other bidders by being allowed to correct its bid.<sup>2</sup>

The administration may, at its discretion, waive the irregularity in Comanco's bid and allow it to correct the mistake. In such case, the administration is advised to immediately contact Comanco in writing, alerting it to the discrepancy in its bid and request that Comanco provide evidence to support the correct bid amount, including sworn affidavits, bid worksheets, and subcontractor quotes. The administration is further advised to contact the bid bonding company that issued Comanco's bid bond to request information and documentation to indicate the bid amount upon which the bid bond was issued. Once the administration receives the information requested, it should evaluate the sufficiency and reliability of same in deciding whether to allow Comanco to correct its bid. Our office remains available to provide advice and guidance on this matter as needed.

  
Monica Rizo Perez

<sup>1</sup> This is important because, under both Florida and federal law, an irregularity in a bid is deemed a substantial, and non-waivable issue, if "it would adversely affect competitive bidding by placing a bidder in a position of advantage over other bidders." See *Robinson Electric*, 417 So.2d at 1034.

<sup>2</sup> This opinion is limited to the specific facts set forth herein and in the very limited circumstance where, as here, the low bidder will remain the low bidder even after being permitted to correct a mistake.



## EXHIBIT C

# Kimley»Horn

## MEMORANDUM

To: Mr. Luis Moreno, P.E., Construction Manager  
Department of Solid Waste Management

From: Brenda Westthorp, P.E. Project Manager  
Kimley-Horn and Associates, Inc.

Date: May 17, 2017

Subject: Review of Bidder's Experience

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This project requires that the selected contractor meet the following responsibility requirements:

**RESPONSIBILITY REQUIREMENTS:** The selected Contractor shall have a minimum of five (5) years of experience on landfill projects involving construction of stormwater drainage improvements, installation of geosynthetic liner or cover systems, and landfill gas collection systems. Additionally, the selected Contractor must have experience on at least two previous landfill projects in Florida of a type and magnitude similar to the construction of Cell 5 at the SDLF.

In addition, the selected Contractor's Construction Superintendent shall have a minimum of 10 years of experience on managing earthwork projects. The Construction Superintendent shall have directed a minimum of two previous landfill construction or closure projects involving the use of geosynthetic materials in the bottom liner or final cover. The County reserves the right to review and verify the qualifications and experience of the Construction Superintendent assigned to the project by the selected Contractor, and to request a change if, at the sole discretion of the County, the Construction Superintendent assigned does not meet the minimum experience requirements identified above.

The apparent low bidder is H&R Paving. However, upon review of the vendor experience submitted by H&R Paving, they do not have the required experience. The experience listed is not landfill experience nor does it meet the minimum requirement of five years.

1. Port of Miami- project is not a landfill project. Total experience is three months.
2. Olinda Park-project is not a landfill project. Total experience is 13 months.
3. Hammocks Park-project is not a landfill project. Total experience is 11 months.

None of the projects meet the experience requirements listed above. The total time given for all three projects is 27 months. Neither the type of experience or the length of time meet the above minimum requirements. Should you have any questions, please do not hesitate to contact me at 305-535-7718.

## EXHIBIT D



**MIAMI-DADE COUNTY - DEPARTMENT OF SOLID WASTE MANAGEMENT (DSWM)  
CONSTRUCTION OF SOUTH DADE LANDFILL CELL 5, CONTRACT NO. 14S003  
PRIME CONTRACTOR RESPONSIBILITY REQUIREMENTS FORM**

The special characteristics of this project, however, warrant that specific requirements be added to the above-mentioned bidders' qualifications. Section 00130, Special Provisions, Article 1.B, requires that the selected contractor meet the following responsibility requirements:

- 1) The selected Contractor shall have a minimum of five (5) years of experience on landfill projects involving construction of stormwater drainage improvements, installation of geosynthetic liner or cover systems, and landfill gas collection systems. Additionally, the selected Contractor must have experience on at least two previous landfill projects in Florida of a type and magnitude similar to the construction of Cell 5 at the SDLF.
- 2) The selected Contractor's Construction Superintendent shall have a minimum of 10 years of experience on managing earthwork projects. The Construction Superintendent shall have directed a minimum of two previous landfill construction or closure projects involving the use of geosynthetic materials in the bottom liner or final cover. The County reserves the right to review and verify the qualifications and experience of the Construction Superintendent assigned to the project by the selected Contractor, and to request a change if, at the sole discretion of the County, the Construction Superintendent assigned does not meet the minimum experience requirements identified above.
- 3) Geomembrane Manufacturer/Installer, manufacturers of other geosynthetic materials, and geosynthetic materials, shall meet experience requirements as provided for in Section 02770, Geomembranes. Bidders are directed to review Section 01423, Certification of Bidders' Experience and Qualifications, for more details as to the experience and qualifications required from the selected Contractor.

The Prime Contractor shall be required to provide a list of Example Projects that demonstrate the Firm's key individuals' ability and experience to successfully plan and complete the project. The Prime Contractor and all Major Subcontractors are required to perform their due diligence to ensure that all references submitted are up to date, and have current contact persons' name, company name, company position, phone numbers, fax numbers, and e-mail addresses which are spelled and listed correctly prior to the date of submission. All documentation submitted to support these requirements will be subject to verification by County staff. Potential bidders are required to include in their bid submissions any and all information necessary to establish their satisfaction of the minimum requirements in this section: general information regarding their companies' management and operations, financial resources, bonding capacity, payment of subcontractors, and a history of commenced and completed projects in order to support these requirements. The County shall be authorized to request from the bidder any and all information which the County may reasonably require to determine the bidder's and Major Subcontractor's compliance with this section. Failure to provide such information may be considered by the County in its determination of compliance. Upon determination of the apparent lowest responsive bidder, the County shall review further its qualifications including verification of, but not limited to, the firm's past performance, the capacity of its personnel to perform the services, available business and litigation reports, financial condition, integrity, capability, experience, and quality of services provided under other contracts. The County shall make determinations of the bidder's compliance with the requirements of this section in its sole discretion, and the County's decision shall be final.

**Reference Project Name/Address:**

**PotashCorp, White Springs Gyp Stack Liner System, 15843 SE 78th Street, White Springs, FL 32096-0300**

**Name(s) and role(s) of Prime Contractor personnel working on this reference project:**

**Dan Ward-Project Manager, Arnulfo Martinez-Superintendent**

**Reference Project Description:**

**See 2nd Page**

**Scope of Services Provided:**

**See 2nd Page**

**Professional Fees: \$**

**N/A**

**Project Start Date: /**

**N/A**

**Project Completion Date: /**

**N/A**

**Project Construction Cost: \$**

**\$28,850,000.00**

**Construction Start Date: /**

**9/2015**

**Construction Completion Date: /**

**5/2015**

**Reference Company Name:**

**PCS Phosphate Company, Inc.**

**Reference Name:**

**Norbert J. Drobot**

**Reference Phone Number:**

**386-397-8154**

**Fax Number:**

**N/A**

**E-mail:**

**njdrobot@potashcorp.com**

**Prime Contractor may use the space below to expand on the scope of services provided for this project.**

The project consists of furnishing all labor, materials, plant, equipment, tools, supervisory personnel and facilities to construct the lined phosphogypsum stack expansion to the lines, grades and dimensions shown on the Drawings and in accordance with the Specifications. The work includes the following:

- **Site Preparation:** clearing, grubbing, stripping and disposal of existing grassed clayey soil cover over approximately 60 acres of the expansion footprint area. Preparation of site access roads/ramps.
  - **Demolition:** of two existing spillway structures within the above ground cooling pond.
  - **Dewatering Wells and Seepage Collection System:** Construction of a dewatering system comprised of up to 64 well points connected to an approximately 3,450-foot long HDPE header pipe and one HDPE sump along the southern and eastern sides of the expansion area. Installation of a seepage interceptor drain along the southern side of the expansion, including installation of approximately 2,800 linear feet of geonet/geotextile composite drain connected to an HDPE pipe.
  - **Base Grading:** General cut and fill to alter fundamental contours of expansion area interior including dewatering, surface water control, excavation and hauling of gypsum and soil for dike construction; liner subgrade preparation; and drain outlet trench excavation. Borrowing, hauling, homogenizing, moisture conditioning, placing and compacting soil and gypsum fill.
  - **Perimeter Dike:** Remove nearly 5,000 linear feet of existing earthen dike along northern wall of the above ground cooling pond, and replace with new compacted soil dike approximately 5,800 feet long. Includes installation of all-weather crest and toe roads, and construction of a grassed clayey soil cover on the outside slope. Fine-grade and compact approximately 5,100 linear feet of earthen perimeter dike along west and east sides of the above ground cooling pond and nearly 2,900 linear feet of gypsum perimeter dike along south wall abutting existing stack settling area No. 4.
  - **Liner Subgrade:** Fine grading, compaction and maintenance of all surfaces to receive high density polypropylene (HDPE) liner, totaling about 250 acres, on the perimeter dike inside slope and interior floor area of the SCC expansion area.
  - **Air Vent System:** Installation of an air venting system on surfaces to be lined, comprised of approximately 100,500 linear feet of geonet-geotextile composite vent strips (half the manufacturer's standard width) and 18 associated vent system outlets.
  - **HDPE Liner Installation:** Installation of approximately 150 acres of 60-mil double-sided textured HDPE liner and approximately 100 acres of 60-mil smooth HDPE liner on the perimeter dike inside slopes and interior base of the SCC expansion area. Includes the liner anchor trench along the gypsum and earthen perimeter dikes.
  - **Compacted Gypsum Liner Cover:** Placement and compaction of a 2-foot thick gypsum cover atop approximately 120 acres of the HDPE liner as specified on the Drawings, including the inside slope of the perimeter dike, perimeter ditch, starter dike base, drain and outlet alignments and access roads, requiring in-place compacted gypsum with a saturated hydraulic conductivity equal to or less than  $1.0 \times 10^{-4}$  cm/sec.
  - **Drain and Outlet System:** Construction of approximately 21,500 linear feet of stack drains atop the 2-foot thick gypsum cover, comprised of two concentric geotextile-wrapped silica gravel drains with slotted 6-inch diameter HDPE collection pipes, and associated 14,200 linear feet of solid wall 6-inch diameter HDPE outlet pipes (bedded in gravel, sand or gypsum as detailed in the Drawings), seepshields, and concrete erosion protection mats at 14 outlet locations. Also includes placement of uncompacted gypsum cover above drains.
  - **Gypsum Starter and Partition Dikes:** Construction of approximately 12,300 linear feet of gypsum starter dike atop the 2-foot thick gypsum cover around the perimeter of the SCC stack expansion area, and one, nearly 2,300-foot long gypsum partition dike, requiring in-place compacted gypsum obtained from the interior of expansion area and/or from active stack settling area No. 4, located adjacent to the south side of the SCC stack expansion.
  - **Outfall Structure Installation:** Design and construction of a concrete outfall structure at the southwest corner of the lined stack expansion to connect the new return water ditch to the existing lower cooling pond, including: two 10-foot wide hydraulically-controlled slide/knife gates; handrails and steel grating; HDPE concrete embedment profiles (or extruded anchoring system); and erosion control on the downstream side.
  - **Runoff/Seepage Collection Ditch:** Provide and install HDPE orange safety fence, excavation-warning barrier and 4-inch diameter PVC liner marker posts along the approximately 2,900-foot long runoff/seepage collection ditch located along the south wall. Installation of HDPE drainage culverts and associated concrete erosion protection mats at both ends of the runoff/seepage collection ditch.
- Additional ancillary work includes: surveying, access road and lay-down area maintenance, hauling and spraying water to control dusting, surface water runoff control and dewatering, maintenance of completed work until accepted by the Owner, and site clean-up and restoration of all disturbed areas.



**MIAMI-DADE COUNTY - DEPARTMENT OF SOLID WASTE MANAGEMENT (DSWM)  
CONSTRUCTION OF SOUTH DADE LANDFILL CELL 5, CONTRACT NO. 14S003  
PRIME CONTRACTOR RESPONSIBILITY REQUIREMENTS FORM**

The special characteristics of this project, however, warrant that specific requirements be added to the afore-mentioned bidders' qualifications. Section 00130, Special Provisions, Article 1.B, requires that the selected contractor meet the following responsibility requirements:

- 1) The selected Contractor shall have a minimum of five (5) years of experience on landfill projects involving construction of stormwater drainage improvements, installation of geosynthetic liner or cover systems, and landfill gas collection systems. Additionally, the selected Contractor must have experience on at least two previous landfill projects in Florida of a type and magnitude similar to the construction of Cell 5 at the SDF.
- 2) The selected Contractor's Construction Superintendent shall have a minimum of 10 years of experience on managing earthwork projects. The Construction Superintendent shall have directed a minimum of two previous landfill construction or closure projects involving the use of geosynthetic materials in the bottom liner or final cover. The County reserves the right to review and verify the qualifications and experience of the Construction Superintendent assigned to the project by the selected Contractor, and to request a change if, at the sole discretion of the County, the Construction Superintendent assigned does not meet the minimum experience requirements identified above.
- 3) Geomembrane Manufacturer/Installer, manufacturers of other geosynthetic materials, and geosynthetic materials, shall meet experience requirements as provided for in Section 02770, Geomembranes. Bidders are directed to review Section 01420, Certification of Bidders Experience and Qualifications, for more details as to the experience and qualifications required from the selected Contractor.

The Prime Contractor shall be required to provide a list of Example Projects that demonstrate the Firm's key individuals ability and experience to successfully plan and complete the project. The Prime Contractor and all Major Subcontractors are required to perform their due diligence to ensure that all references submitted are up to date, and have current contact persons, name, company name, company position, phone numbers, fax numbers, and e-mail addresses, which are spelled and listed correctly prior to the date of submission. All documentation submitted to support these requirements will be subject to verification by County staff. Potential bidders are required to include in their bid submissions any and all information necessary to establish their satisfaction of the minimum requirements in this section: general information regarding their companies' management and operations, financial resources, bonding capacity, payment of subcontractors, and a history of commenced and completed projects in order to support these requirements. The County shall be authorized to request from the bidder any and all information which the County may reasonably require to determine the bidder's and Major Subcontractor's compliance with this section. Failure to provide such information may be considered by the County in its determination of compliance. Upon determination of the apparent lowest responsive bidder, the County shall review further its qualifications including verification of, but not limited to, the firm's past performance, the capacity of its personnel to perform the services, available business and litigation reports, financial condition, integrity, capability, experience, and quality of services provided under other contracts. The County shall make determinations of the bidder's compliance with the requirements of this section in its sole discretion, and the County's decision shall be final.

**Reference Project Name/Address:**

**North Central Landfill Class I, Phase V Disposal Facility, 10 Environmental Loop S., Winter Haven, FL 33880**

**Name(s) and role(s) of Prime Contractor personnel working on this reference project:**

**Dan McRae-Project Manager, Bill Newman-Superintendent**

**Reference Project Description:**

**See 2nd Page**

**Scope of Services Provided:**

**See 2nd Page**

**Professional Fees: \$**

**N/A**

**Project Start Date: /**

**10/2015**

**Project Completion Date: /**

**10/2016**

**Project Construction Cost: \$**

**\$12,325,500.00**

**Construction Start Date: /**

**10/2015**

**Construction Completion Date: /**

**10/2016**

**Reference Company Name:**

**Polk County**

**Reference Name:**

**David Huff**

**Reference Phone Number:**

**863-284-4319**

**Fax Number:**

**863-284-4321**

**E-mail:**

**davidhuff@polk-county.net**

## **EXHIBIT E**

### **Santos, Stacy (DSWM)**

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**From:** Ponassi, Fernando (ISD)  
**Sent:** Wednesday, June 28, 2017 3:22 PM  
**To:** 'Mark Topp'  
**Cc:** Danielle Meador; Clerk of the Board (COC); Espinosa-Anderson, Olga (DSWM)  
**Subject:** RE: Contract No. 14S003, South Dade Landfill Construction of Cell No. 5 - Responsiveness Review for Comanco Environmental

Dear Mr. Topp,

Our office is in receipt of your response to our request to verify Comanco's bid submitted on May 10, 2017.

In order to reasonably allow Comanco to correct its bid, we kindly request that you provide evidence to support the corrected bid amount by **close of business on Thursday, July 6, 2017**. Supporting documentation may include, but not be limited to, sworn affidavits, bid worksheets, subcontractors' quotes, and any other data that serves to establishing the existence of the error, the manner in which it occurred, and the bid actually intended. Once all the evidence is received, the County will evaluate the sufficiency and reliability of same in deciding whether to allow Comanco to correct its bid.

Should you have any questions, please do not hesitate to contact me directly, with a copy to the Clerk of the Board at [ClerkBCC@Miamiidade.gov](mailto:ClerkBCC@Miamiidade.gov).

Regards,

**Fernando V. Ponassi**, MA Arch., MA PPA, LEED®AP  
Manager, Contracts Administration Section  
Design and Construction Services Division  
**Miami-Dade County Internal Services Department**  
111 NW 1st Street, 24th Floor, Miami, FL 33128  
(305) 375-3965 Office (305) 607-9214 Cellular



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**From:** Mark Topp [mailto:[mtopp@comanco.com](mailto:mtopp@comanco.com)]  
**Sent:** Wednesday, June 28, 2017 10:57 AM  
**To:** Ponassi, Fernando (ISD)  
**Cc:** Danielle Meador; Clerk of the Board (COC); Espinosa-Anderson, Olga (DSWM)  
**Subject:** RE: Contract No. 14S003, South Dade Landfill Construction of Cell No. 5 - Responsiveness Review for Comanco Environmental

Good morning,

Please accept the attached written verification of the bid amount submitted by COMANCO Environmental Corp. (COMANCO) in connection with your review of COMANCO's bid proposal relating to the South Dade Landfill Construction of Cell No.5. - Contract No. 14S003.

Regards,





Mark Topp | President  
COMANCO Environmental Corporation  
4301 Sterling Commerce Dr. | Plant City, FL 33566  
Office: 813-988-8829 | Cell: 813-714-2246  
email: [mtopp@comanco.com](mailto:mtopp@comanco.com) | web: [www.comanco.com](http://www.comanco.com)

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**From:** Ponassi, Fernando (ISD) [<mailto:FERNANP@miamidade.gov>]  
**Sent:** Wednesday, June 28, 2017 10:40 AM  
**To:** Mark Topp  
**Cc:** Danielle Meador; Clerk of the Board (COC); Espinosa-Anderson, Olga (DSWM)  
**Subject:** RE: Contract No. 14S003, South Dade Landfill Construction of Cell No. 5 - Responsiveness Review for Comanco Environmental  
**Importance:** High

Dear Mr. Topp,

Please advise on the progress of your response to the email below. We expect to receive your reply by close of business tomorrow, Thursday, June 29, 2017. Your cooperation will be greatly appreciated.

Regards,

**Fernando V. Ponassi**, MA Arch., MA PPA, LEED®AP  
Manager, Contracts Administration Section  
Design and Construction Services Division  
**Miami-Dade County Internal Services Department**  
111 NW 1st Street, 24th Floor, Miami, FL 33128  
(305) 375-3965 Office (305) 607-9214 Cellular



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**From:** Ponassi, Fernando (ISD)  
**Sent:** Monday, June 26, 2017 5:03 PM  
**To:** [mtopp@comanco.com](mailto:mtopp@comanco.com)  
**Cc:** Danielle Meador ([dmeador@comanco.com](mailto:dmeador@comanco.com)); Clerk of the Board (COC); Espinosa-Anderson, Olga (DSWM)  
**Subject:** Contract No. 14S003, South Dade Landfill Construction of Cell No. 5 - Responsiveness Review for Comanco Environmental  
**Importance:** High

Dear Mr. Topp,

The County has completed its review for responsiveness and responsibility on the bid submitted by your firm on May 10, 2017.



In the course of its responsiveness review, it was determined that an irregularity exists in Comanco's bid. A discrepancy has been found between the bid amount spelled out in words (\$15,000,675) and the bid amount as set forth in numerical figures (\$15,675,000). Under the advice of the County Attorney's Office, we are contacting you as the representative listed in Comanco's bid proposal to put you on notice of the suspected mistake and to request that your firm verifies its bid within 72 hours.

Should you have any questions, please contact me directly in writing and copy the Clerk of the Board at [ClerkBCC@miamidade.gov](mailto:ClerkBCC@miamidade.gov).

Regards,

**Fernando V. Ponassi**, MA Arch., MA PPA, LEED®AP  
Manager, Contracts Administration Section  
Design and Construction Services Division

**Miami-Dade County Internal Services Department**  
111 NW 1st Street, 24th Floor, Miami, FL 33128  
(305) 375-3965 Office (305) 607-9214 Cellular



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For more information please visit <http://www.mimecast.com>

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EXHIBIT F



Thursday, July 6, 2017

Fernando V. Ponassi  
Manager, Contracts Administration Section  
Design and Construction Services Division  
Miami-Dade County Internal Services  
Department  
111 NW 1st Street, 24th Floor,  
Miami, FL 33128  
Email: [FERNANP@miamidade.gov](mailto:FERNANP@miamidade.gov)

**VIA OVERNIGHT EXPRESS COURIER  
AND ELECTRONIC MAIL**

**Re: Contract No. 14S003, South Dade Landfill Construction of Cell No. 5  
Supporting Documentation - Verification**

Dear Mr. Ponassi:

I am writing this letter in response to your electronic mail message dated June 28, 2017, regarding COMANCO Environmental Corporation's (hereinafter, "COMANCO") bid supporting verification documents on the above-referenced project.

Please find attached an affidavit for Mark Topp, Attachment 'A', Attachment 'B', Attachment 'C', and Attachment 'D'.

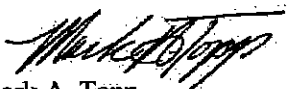
I am confident the attached supporting documents will support COMANCO's bid amount is \$15,675,000, or Fifteen Million Six Hundred Seventy Five Thousand Dollars.

We recognize that COMANCO's response to the solicitation incorrectly spelled out the dollar amount of its bid, and we take this opportunity to confirm that the numerical dollar amount submitted with our response should govern as indicated hereby.

Please do not hesitate to contact us with any further inquiries.

Respectfully Submitted

**COMANCO Environmental Corporation**

  
Mark A. Topp  
President



### AFFIDAVIT OF MARK TOPP

STATE OF FLORIDA  
COUNTY OF HILLSBOROUGH

The undersigned, Mark Topp, being duly sworn, hereby deposes and says:

1. I am over the age of 18 and am a resident of the State of Florida. I have personal knowledge of the facts herein, and otherwise competent to make this affidavit.
2. I am the President of COMANCO Environmental Corporation, a Florida corporation.
3. On May 10, 2017, COMANCO submitted a proposal in response to Miami-Dade County's solicitation regarding Contract No. 14S003, South Dade Landfill Construction of Cell No. 5.
4. COMANCO bid \$15,675,000.00 or Fifteen Million Six Hundred Seventy Five Thousand Dollars. This is the amount that is written numerically in COMANCO's bid proposal. In our rush to finish the bid preparation and allow the bid to be delivered, the word "Thousand" was inadvertently left out of the written bid amount due to a scrivener's error.
5. COMANCO'S bid documents were assembled and prepared on May 9, 2017, by a member of my staff. The very last item to be entered into our bid proposal was the amount of the bid. Although we typically reviewed the amounts entered, we did not catch the error. I was not aware of the error until it was brought to my attention after the bid opening.
6. As is standard practice, COMANCO'S estimator generates a report from our bid software showing the bid amount. **See Estimator's Recap Report, attached as Exhibit 'A'.** The Estimate Recap Report is a summary report of all estimated costs and markups from the Heavy Bid estimating program for this project (COMANCO project #07178583, as indicated at the top left side of the report). The final page of the report, under the "Estimate Notes" header, includes total bid price amount at the time of the last "summary and spread," which is a recalculation/update of all estimated costs and markups at a given point in time. The total bid amount is shown as \$15,675,000 at the time that the last summary and spread recalculations were run on 5/9/17 at 6:59 PM.



7. In addition, COMANCO'S SBE Vendor Analysis demonstrates the summary of subcontract and supply quotes from prospective vendors with emphasis on the selected SBE subcontractors/suppliers for each work type. The data shown is timestamped on May 9, 2017, the date COMANCO prepared the bid documents. **See SBE Vendor Screenshot, attached as Exhibit 'B'.** The lower window on this screenshot summarizes the percentages of the total bid, as well as the total dollar amounts, for each SBE classification (SBEC and SBEM) included in this project. These totals are shown in the "Current (%)" and "Current (\$)" columns. This screenshot also shows the bid total of \$15,675,000 as of the last summary/spread recalculation on 5/9/17.
8. The data collected from the SBE analysis translates into a Minority Analysis Report. The attached Minority Analysis Report demonstrates that COMANCO'S SBE vendor totals tie out to the total value of COMANCO'S bid of \$15,675,000. **See Minority Analysis Report, attached hereto as Exhibit 'C'**  
SBE Minority Analysis Report – This report is exactly the same as the SBE Vendor Analysis Screenshot but in a more reader-friendly report format.
9. The vendor percentages work out exactly to what is stated the SBE Schedule of Intent Affidavits (SOI) submitted by COMANCO with its bid. **See SOI Affidavits, attached hereto as Exhibit 'D'.** The percentages shown on each of these forms correspond to the dollar amounts shown on the SBE Vendor Analysis Screenshot and SBE Minority Analysis Report as they relate to the bid total of \$15,675,000. We have also provided a spreadsheet entitled "SBE Percentages for Miami-Dade" that lists each selected SBE subcontractor/supplier, the percentage of bid total stated on the SOI forms, the total dollar amount for each selected SBE (taken from the aforementioned SBE Vendor Analysis Screenshot), and the percentage of \$15,675,000 that these dollar amounts equate to. Please note that these percentages are the exact same to the tenth of a percent, and in most cases to the hundredth of a percent, of what was stated on the SOI forms that were submitted with the bid.
10. The foregoing reports confirm that COMANCO's bid is \$15,675,000.00, or Fifteen Million Six Hundred Seventy-Five Thousand Dollars.
11. I declare that, to the best of my knowledge and belief, the information herein is true, correct, and complete.



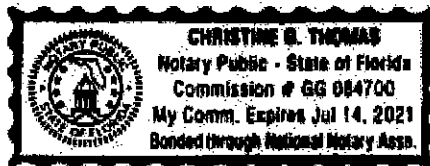
Executed this 6th Day of July 2017.

Signature *Mark Topp*

Mark Topp, President  
Name and Title

**Notary Acknowledgment**

The STATE OF FLORIDA, COUNTY OF HILLSBOROUGH



*Christine G. Thomas*  
Notary Public

Christine G. Thomas, Marketing Director  
Name and Title

My Commission Expires July 14, 2021.

# Exhibit 'A'

Comanco Environmental Corporation  
07178583 Miami Dade South Dade LF Cell 5  
\*\*\* John Jacobs

06/28/2017 17:24

## ESTIMATE RECAP - BID QUANTITIES

	DIRECT	INDIRECT	TOTAL	% OF TOTAL
Labor	791,929.63	334,503.83	1,126,433.46	7.717%
Burden	358,931.93	134,451.21	493,383.14	3.380%
Lab+Bur	1,150,861.56	468,955.04	1,619,816.60	11.097%
Perm Matl	4,122,610.01	0.40	4,122,610.41	28.243%
Const Exp				0.000%
Equipment	1,053,843.36	356,439.98	1,410,283.34	9.661%
Subs	6,490,460.61	7,500.50	6,497,961.11	44.516%
Other	364,424.10	581,926.40	946,350.50	6.483%
Total Costs:	13,182,199.64	1,414,822.32	14,597,021.96	100.000%
% of Total	90.307%	9.693%	100.000%	

Escalation on:	Labor	Burden	Perm Matl	Const Matl	Co Eqp	Rented Eqp
	0	0	0	0	0	0
	100.00 %	100.00 %	100.00 %	100.00 %	100.00 %	100.00 %
	Eq Op Exp	Sub	Other	Freight	Misc3	Total Escalation
	0	0	0	0	0	0
	100.00 %	100.00 %	100.00 %	100.00 %	100.00 %	100.00 %

\* Data Below here is dependent on the Summary Process. \*  
The Summary Process was last run 05/09/2017 at 6:59 PM

Markup on Resource Costs	928,825.91	6.3631%
MARKUP TOTALS ==>	928,825.91	6.3631%
Bond from Summary Table	109,447.06	0.7498%
MARKUP, ADDON & BOND TOTALS ==>	1,038,272.97	7.1129%
COST + MARKUP ----->	\$15,635,294.93	(% of costs)
	(On Takeoff Quantity)	

There \* ARE \* closing accounts for this bid.

Rounding difference:	11,404.71	-Effect on Bid- None
Unbalancing difference:	-10,079.82	None
From Cut&Add Sheet-costs:		(on Bid Quantity)
From Cut&Add Sheet-markup:		(on Bid Quantity)
Pass Through Adjustments:		None

Net Adjustments (to the balanced bid): [or desired bid]

BALANCED BID TOTAL	\$15,635,294.91
DESIRED BID (if specified)	\$15,675,000.00
BID TOTAL (on bid quantities)	\$15,675,000.00

BID COSTS (on bid quantities)	\$14,706,469.00	
MARKUP (on bid quantities)	\$968,531.00	6.178%
EXPECTED JOB VALUE (on takeoff quantities):	\$15,675,000.00	
EXPECTED COSTS (on takeoff quantities):	\$14,706,469.02	
EXPECTED MARKUP (on takeoff quantities):	\$968,530.98	6.178%
Adjust to Bid Quantities =	Y	

On Takeoff Quantities

Labor Hrs. (MH/MHS) 36,345	11,726	48,071
(incl burden) 1,150,861	468,955	1,619,816
Labor (DAY/DAYS) 0	0	0
(incl burden) 0	0	0
Labor (OtherUnits) 0	0	0
(incl burden)		
Labor Burden 358,931	134,451	493,383

Spread Indirects on:	Total Cost	Spread Markup on:	Total Cost
Spread Addons on:	Total Cost	Spread Bond on Biditem:	12

Markup on:	Labor	Burden	PermMatl	CM	CoEqp	RentedEqp
	30.00%	30.00%	2.00%	2.00%	15.00%	15.00%
	EOE	Sub	Other	Freight	Misc3	
	15.00%	2.00%	15.00%	2.00%	15.00%	

Bond Calculations

Selected Bond Table: HU Description: HUB Special

	Contract Amount	Rate per 1000	Bond Amount
First:	\$ 20,000,000	7.00	\$ 109,447.06
Next:	\$ 0	0.00	\$ 0.00
Next:	\$ 0	0.00	\$ 0.00
Next:	\$ 0	0.00	\$ 0.00
Next:	\$ 0	0.00	\$ 0.00
Remainder:		6.50	\$ 0.00
		Subtotal:	\$ 109,447.06
Time Threshold 1: 0	Extended Time Rate 1: 0.0000 %		\$ 0.00
Time Threshold 2: 0	Extended Time Rate 2: 0.0000 %		\$ 0.00
Length of Job: 0	Total Bond Amount:		\$ 109,447.06*

\* Bond is Spread to only Biditem: 12

Key Indicators

Comanco Environmental Corporation  
 07178583 Miami Dade South Dade LF Cell 5  
 \*\*\* John Jacobs

06/28/2017

17:24

Actual Markup	/	Total Labor	=	Markup/Total Labor
968,531.00	/	1,619,816.60	=	59.79%
Indirect Cost	/	Direct Cost	=	Indirect Cost/Direct Cost
1,414,822.32	/	13,182,199.64	=	10.73%
Direct Manhours	/	Total Manhours	=	Dir Man Hrs/Total Man Hrs
36,345.53	/	48,071.65	=	75.61%
Total Permanent Materials	/	Total Cost	=	Material % of Total Cost
4,122,610.41	/	14,706,469.02	=	28.03%
Bid Total	-	Total Permanent Materials	=	Install Only
15,675,000.00	-	4,122,610.41	=	11,552,389.59
Actual Markup By Bid Qty	/	Install Only	=	Markup by Install Only
968,531.00	/	11,552,389.59	=	8.38%

----- ESTIMATE NOTES: -----

Bid Date: 05/10/2017

Owner:

Engr Firm:

Estimator-In-Charge:

Desired Bid (if specified) = 15,675,000.00

Notes: Estimate created on: 04/17/2017 by User#: 9790 - Scotty Martone

Source estimate used: W:\HEAVYBID\EST\STMASTER

Last Summary on 05/09/2017 at 6:59 PM.

Last Spread on 05/09/2017 at 6:59 PM.



## Exhibit 'B'

[illegible]

Exhibit 'C'

Minority Analysis Report

Folder	Description	Selected Vendor	Selected Total	Min Type	Min %	Min Total	Low Amount	2nd Low Amount	Low Min	Minority Net \$	Net %
4USM	4USM	SYNTHETEX	8,406.94		0.00	0.00	8,406.94	0.00	0.00	0.00	0.00
CIPCONC	Cast-in-Place Concrete	HOMESTEADCD	164,735.00	SBEC	100.00	164,735.00	164,735.00	238,440.00 P	164,735.00	0.00	0.00
COMPOSITE	Geocomposite	ESP	1,530,263.85		0.00	0.00	1,530,263.85	1,575,979.43	0.00	0.00	0.00
COVER HAUL	Cover Soil Hauling	ALLIED	3,638,476.25		0.00	0.00	3,638,476.25	0.00	0.00	0.00	0.00
EARTH	Earthwork Sub	IMR JENNINGS	704,590.90	SBEC	100.00	704,590.90	704,590.90	0.00	704,590.90	0.00	0.00
ELEC	Electrical	COMMPLETE	400,000.00		0.00	0.00	400,000.00	0.00	0.00	0.00	0.00
FILL	Structural Fill Material	IMR JENNINGS	1,256,080.00	SBEC	100.00	1,256,080.00	1,205,612.50	1,256,080.00	1,256,080.00	0.00	0.00
GCL	GCL	CETCO	717,798.75		0.00	0.00	717,798.75	770,477.00	0.00	0.00	0.00
GEOTEXTILE	8oz Non-Woven Geotextile	AGRU	6,989.40		0.00	0.00	6,989.40	0.00	0.00	0.00	0.00
GH4	#4 Granite HAUL	CYFILAUD	6,380.00		0.00	0.00	6,380.00	6,380.00	6,380.00	0.00	0.00
GH57	#57 Granite HAUL	CYFILAUD	33,090.00		0.00	0.00	33,090.00	33,090.00	33,090.00	0.00	0.00
GM4	#4 Granite MAT	CYFILAUD	32,984.60		0.00	0.00	32,984.60	40,162.10	40,162.10	7,177.50	21.76
GM57	#57 Granite MAT	CYFILAUD	164,457.30		0.00	0.00	164,457.30	204,992.55	204,992.55	40,535.25	24.65
JCVD	Jet Cleaning & Video Inspection	CORCELCORP	37,079.00	SBEM	100.00	37,079.00	14,465.00	35,993.60	35,993.60	-1,085.40	-2.93
LINER	Geomembrane	**INCOMPLETE	1,267,343.00		0.00	0.00	1,267,343.00	1,278,428.20	0.00	0.00	0.00
PBEDH	Pipe Bedding HAUL	ALLIED TR	1,050.00		0.00	0.00	1,050.00	0.00	1,050.00	0.00	0.00
PBEDM	Pipe Bedding MATERIAL	ALLIED TR	2,712.50		0.00	0.00	2,712.50	3,955.00	2,712.50	0.00	0.00
PCED	Precase Energy Dissipator	CORCELCORP	65,064.00	SBEM	100.00	65,064.00	62,460.00	65,064.00	65,064.00	0.00	0.00
PCMH	Precast Manhole	CORCELCORP	37,605.00	SBEM	100.00	37,605.00	26,630.00	29,820.00	37,605.00	0.00	0.00
PIPE	Pipe & Fittings	CORCELCORP	154,874.58 P	SBEM	100.00	154,874.58	72,832.54 P	101,775.58 P	72,832.54 P	-82,042.04	-52.97
PPHOSE	Leachate Pump Discharge Hose	AMAZONTPA	5,395.90		0.00	0.00	5,395.90	0.00	0.00	0.00	0.00
PPUMPC	Pumps & Control Panels	CORCELCORP	197,782.00	SBEM	100.00	197,782.00	197,782.00	202,370.00	197,782.00	0.00	0.00
SOD	Sod Sub	SUNSET	175,421.95	SBEM	100.00	175,421.95	175,421.94	0.00	175,421.94	-0.01	0.00
SURVEYING	Surveying and As-Builts	BISCAYNE	29,657.50	SBEM	100.00	29,657.50	29,657.50	0.00	29,657.50	0.00	0.00
Report Totals:			10,638,238.42			2,822,889.93	10,469,535.87	5,843,007.48		-35,414.70	

\*\* 2nd low \$ contains one or more zeroes

Minority Totals by Type

Type	Description	Current (%)	Goal (%)	Diff (%)	Current (\$)	Goal (\$)	Diff (\$)
DBE	Disadvantaged Business Enterprise	0.00	0.00	0.00	0.00	0.00	0.00
MBE	Minority Business Enterprise	0.00	0.00	0.00	0.00	0.00	0.00
SBE	Small Business Enterprise	0.00	0.00	0.00	0.00	0.00	0.00
SBEC	Small Business Enterprise Contracting	13.56	13.13	0.43	2,125,405.90	2,058,127.50	67,278.40
SBEM	Small Business Enterprise Materials	4.45	4.00	0.45	697,484.03	627,000.00	70,484.03

Comanco Environmental Corporation  
 07178583 Miami Dade South Dade LR Cell 5  
 \*\*\* John Jacobs

07/05/2017 11:58  
 Page 2

Minority Analysis Report

Folder	Description	Selected Vendor	Selected Total	Min Type	Min %	Min Total	Low Amount	2nd Low Amount	Low Min	Minority Net \$	Net %
	WBE	Women Owned Business	0.00	0.00	0.00	0.00	0.00	0.00	0.00		
			18.01	17.13	0.88	2,822,889.93	2,685,127.50	137,762.43			

The last summary was run on: 05/09/2017 at 6:59 PM.  
 The last spread was run on: 05/09/2017 at 6:59 PM.

Current Bid Total: 15,675,000.00

# Exhibit 'D'



## SCHEDULE OF INTENT AFFIDAVIT (SOI)

### SMALL BUSINESS ENTERPRISE - GOODS AND SERVICES (SBE/GS) PROGRAM

THIS FORM MUST BE COMPLETED BY BIDDERS/PROPOSERS FOR PROJECTS WITH SBE-GOODS AND SERVICES (SBE/GS) MEASURES

Name of Bidder/Proposer COMANCO Environmental Corporation Contact Person Mark A. Topp  
 Address 4301 Sterling Commerce Dr, Plant City, FL 33566 Phone 813-988-8829 Fax 813-988-8953 Email mtopp@comanco.com  
 Project Name Construction of South Dade Landfill Cell 5 Project Number 14S003  
 SBE - G/S Contract Measure 4.00%

This section must be completed by the Bidder/Proposer and the SBE/GS Subcontractor that will be utilized for scopes of work on the project

Name of Bidder/Proposer	(if applicable) SBE/GS Certification No.	(if applicable) Certification Expiration Date	Commodity Code	Type of Goods and Services work to be performed by Bidder	Bidder % of Bid
COMANCO Environmental Corporation	N/A	N/A		N/A	N/A
Prime Contractor Total Percentage:					

The undersigned intends to perform the following work in connection with the above contract:

Name of SBE/GS Subcontractor	SBE/GS Certification No.	Certification Expiration Date	Commodity Code	Type of Goods and Services work to be performed by Subcontractor	SBE/GS Subcontractor % of Bid
Discayne Engineering Company	13441	03/31/2020		Survey and As-builts	0.19
Subcontractor Total Percentage:					

I certify that the representations contained in this form are to the best of my knowledge true and accurate. I affirm that I will enter into a sub-contract agreement with the above listed SBE-G/S subcontractor if awarded the listed project.

Mark A. Topp Mark A. Topp President May 9, 2017  
 Bidder/Proposer Signature Bidder/Proposer Print Name Bidder/Proposer Print Title Date

The undersigned has reasonably uncommitted capacity sufficient to provide the required goods or services; all licenses and permits necessary to provide such goods or services; ability to obtain bonding that is reasonably required to provide such goods or services consistent with normal industry practice, and the ability to otherwise meet the bid specifications.

Sub filled out the Construction SOI in error. Please see the next page for their signature on that form.  
SBE/GS Subcontractor Signature SBE/GS Subcontractor Print Name SBE/GS Subcontractor Print Title Date

☐ Check this box if this project is a set-aside and you are performing 100% of the work with your own work forces.

List of Certified Firms: <http://www.miamidade.gov/smallbusiness/certification.html>

SBD's Website: <http://www.miamidade.gov/smallbusiness>

Small Business Development Division - Internal Services Department

SBD 504 (Revised 10/14)



## SCHEDULE OF INTENT AFFIDAVIT (SOI) SMALL BUSINESS ENTERPRISE - CONSTRUCTION (SBE/CONS) PROGRAM

Name of Prime Contractor Comanco Environmental Corporation Contact Person Mark A. Topp  
Address 4301 Sterling Commerce Drive Phone 813-988-8829 Fax 813-388-7385 Email mtopp@comanco.com  
Project Name Construction of South Dade Landfill Cell 5 Project Number 14S003  
SBE/Cons Contract Measure 4.00% (for goods and services)

This form must be completed by the Prime Contractor and the Small Business Enterprise-Construction (SBE/Cons) Subcontractor that will be utilized for scopes of work on the project. Bidders must include this form with bid documents at the time of bid submission. This form must also include the SBE/Cons goal make-up percentage, if applicable.

Name of Prime Contractor	(if applicable) SBE/Cons Certification	(if applicable) Certification Expiration Date	Scope of Construction work to be performed by Prime Contractor	Prime Contractor % of Bid	(if applicable) SBE/Cons Prime % of Bid
Prime Contractor Total Percentage:					

The undersigned intends to perform the following work in connection with the above contract:

Name of SBE/Cons Subcontractor	SBE/Cons Certification No.	Certification Expiration Date	Scope of Construction work to be performed by SBE/Cons Subcontractor	(if applicable) SBE/Cons Subcontractor % of Bid	(if applicable) SBE/Cons Subcontractor Trade Set Aside %	(if applicable) Construction Goal Make-Up %
Biscayne Engineering Company, Inc.	13441	03/31/2020	Sub provided incorrect form. Please see SOI for Goods and Services. This form is being provided to establish subs intent and copy of their signature.			
Subcontractor Total Percentage:						

I certify that the representations contained in this form are to the best of my knowledge true and accurate.

Prime Signature	Prime Print Name	Prime Print Title	Date
	Mike Bartholomew	President	5/5/17
SBE/Cons Subcontractor Signature	SBE/Cons Subcontractor Print Name	SBE/Cons Subcontractor Print Title	Date

The undersigned has reasonably uncommitted capacity sufficient to provide the required goods or services, all licenses and permits necessary to provide such goods or services, ability to obtain bonding that is reasonably required to provide such goods or services consistent with normal industry practice, and the ability to otherwise meet the bid specifications.

- ☐ Check this box if this project is a set-aside and you are performing 100% of the work with your own work forces.  
☐ Check this box if Form SBD 305A and Form SBD 305B have been submitted in your pricing envelope.  
☐ Check this box if Form SBD 303 has been submitted in your pricing envelope.

List of Certified Firms: <http://www.miamidade.gov/smallbusiness/certification-lists.asp>

SBD's Website: <http://www.miamidade.gov/smallbusiness/>

Small Business Development Division - Internal Services Department

SBD 400 (Formerly DBD 400) (Revised 10/14)



## SCHEDULE OF INTENT AFFIDAVIT (SOI)

### SMALL BUSINESS ENTERPRISE – GOODS AND SERVICES (SBE/GS) PROGRAM

**THIS FORM MUST BE COMPLETED BY BIDDERS/PROPOSERS FOR PROJECTS WITH SBE-GOODS AND SERVICES (SBE/GS) MEASURES**

Name of Bidder/Proposer COMANCO Environmental Corporation Contact Person Mark A. Topp  
 Address 4301 Sterling Commerce Drive, Plant City, FL 33566 Phone 813-988-8829 Fax 813-988-8953 Email mtopp@comanco.com  
 Project Name Construction of South Dade Landfill Cell 5 Project Number 14S003  
 SBE – G/S Contract Measure 4.00%

This section must be completed by the Bidder/Proposer and the SBE/GS Subcontractor that will be utilized for scopes of work on the project

Name of Bidder/Proposer	(if applicable) SBE/GS Certification No.	(if applicable) Certification Expiration Date	Commodity Code	Type of Goods and Services work to be performed by Bidder	Bidder % of Bid
COMANCO Env. Corp.	N/A	N/A		N/A	0.0
Prime Contractor Total Percentage:					

The undersigned intends to perform the following work in connection with the above contract:

Name of SBE/GS Subcontractor	SBE/GS Certification No.	Certification Expiration Date	Commodity Code	Type of Goods and Services work to be performed by Subcontractor	SBE/GS Subcontractor % of Bid
CORCEL CORP.	10677	6/30/17	SERIES 658; 659 AND 670 + RELATED	PIPE, FITTINGS AND VALVES + RELATED MATERIALS	3.14
Subcontractor Total Percentage:					

I certify that the representations contained in this form are to the best of my knowledge true and accurate. I affirm that I will enter into a sub-contract agreement with the above listed SBE-G/S subcontractor if awarded the listed project.

[Signature] Mark A. Topp President May 9, 2017  
 Bidder/Proposer Signature Bidder/Proposer Print Name Bidder/Proposer Print Title Date

The undersigned has reasonably uncommitted capacity sufficient to provide the required goods or services, all licenses and permits necessary to provide such goods or services, ability to obtain bonding that is reasonably required to provide such goods or services consistent with normal industry practice, and the ability to otherwise meet the bid specifications.

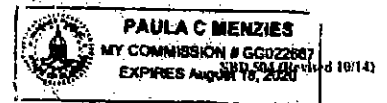
[Signature] RAY CORONA PRESIDENT 5/3/17  
 SBE/GS Subcontractor Signature SBE/GS Subcontractor Print Name SBE/GS Subcontractor Print Title Date

☐ Check this box if this project is a set-aside and you are performing 100% of the work with your own work forces.

List of Certified Firms: <http://www.miamidade.gov/smallbusiness/certification-list.asp>

SBD's Website: <http://www.miamidade.gov/smallbusiness>

Small Business Development Division – Internal Services Department



May 3, 2017



## SCHEDULE OF INTENT AFFIDAVIT (SOI)

### SMALL BUSINESS ENTERPRISE - GOODS AND SERVICES (SBE-G/S) PROGRAM

THIS FORM MUST BE COMPLETED BY BIDDERS/PROPOSERS FOR PROJECTS WITH SBE-GOODS AND SERVICES (SBE-G/S) MEASURES

Name of Bidder/Proposer COMANCO Environmental Corporation Contact Person Mark A. Topp  
Address 4301 Sterling Commerce Drive, Plant City, FL 33566 Phone 813-988-8829 Fax 813-988-8953 Email mtopp@comanco.com  
Project Name Construction of South Dade Landfill Cell 5 Project Number 14S003  
SBE - G/S Contract Measure 4.00%

This section must be completed by the Bidder/Proposer and the SBE-G/S Subcontractor that will be utilized for scopes of work on the project

Name of Bidder/Proposer	(if applicable) SBE-G/S Certification No.	(if applicable) Certification Expiration Date	Commodity Code	Type of Goods and Services work to be performed by Bidder	Bidder % of Bid
COMANCO Env. Corp.	N/A	N/A		N/A	N/A
Prime Contractor Total Percentage:					

The undersigned intends to perform the following work in connection with the above contract:

Name of SBE-G/S Subcontractor	SBE-G/S Certification No.	Certification Expiration Date	Commodity Code	Type of Goods and Services work to be performed by Subcontractor	SBE-G/S Subcontractor % of Bid
<u>Sunco + Co</u>	<u>15183</u>			<u>Soil &amp; Soil Install</u>	<u>1.1</u>
Subcontractor Total Percentage:					

I certify that the representations contained in this form are to the best of my knowledge true and accurate. I affirm that I will enter into a sub-contract agreement with the above listed SBE-G/S subcontractor if awarded the listed project.

[Signature] Mark A. Topp President May 9, 2017  
Bidder/Proposer Signature Bidder/Proposer Print Name Bidder/Proposer Print Title Date

The undersigned has reasonably uncommitted capacity sufficient to provide the required goods or services, all licenses and permits necessary to provide such goods or services, ability to obtain bonding that is reasonably required to provide such goods or services consistent with normal industry practice, and the ability to otherwise meet the bid specifications.

[Signature] Yolke Fellers Manager 5/8/17  
SBE-G/S Subcontractor Signature SBE-G/S Subcontractor Print Name SBE-G/S Subcontractor Print Title Date

☐ Check this box if this project is a set-aside and you are performing 100% of the work with your own work forces.

List of Certified Firms: <http://www.miamidade.gov/business/development/certification-list.asp>

SBO's Website: <http://www.miamidade.gov/business/development/small-business.asp>

Small Business Development Division - Internal Services Department

SBD 504 (Revised 10/11)



**SCHEDULE OF INTENT AFFIDAVIT (SOI)  
SMALL BUSINESS ENTERPRISE - CONSTRUCTION (SBE/CONS) PROGRAM**

Name of Prime Contractor COMANCO Environmental Corporation Contact Person Mark A. Topp  
Address 4301 Sterling Commerce Drive, Plant City, FL 33566 Phone 813-988-8829 Fax 813-988-8953 Email mtopp@comanco.com  
Project Name Construction of South Dade Landfill Cell 5 Project Number 14S003  
SBE/Cons Contract Measure 13.13%

This form must be completed by the Prime Contractor and the Small Business Enterprise-Construction (SBE/Cons) Subcontractor that will be utilized for scopes of work on the project. Bidders must include this form with bid documents at the time of bid submission. This form must also include the SBE/Cons goal make-up percentage, if applicable.

Name of Prime Contractor	(if applicable) SBE/Cons Certification No.	(if applicable) Certification Expiration Date	Scope of Construction work to be performed by Prime Contractor	Prime Contractor % of Bid	(if applicable) SBE/Cons Prime % of Bid
COMANCO Env. Corp.	N/A	N/A	Earthwork, Liner Installation, Leachate System Installation	32.25%	N/A
Prime Contractor Total Percentage:					

The undersigned intends to perform the following work in connection with the above contract:

Name of SBE/Cons Subcontractor	SBE/Cons Certification No.	Certification Expiration Date	Scope of Construction work to be performed by SBE/Cons Subcontractor	(if applicable) SBE/Cons Subcontractor % of Bid	(if applicable) SBE/Cons Subcontractor Trade Set Aside %	(if applicable) Construction Goal Make-Up %
HOMESTEAD CONCRETE & DRAINAGE, INC.	1155	03/31/2018	CONCRETE / CONSTRUCTION	1.05	N/A	N/A
Subcontractor Total Percentage:						

I certify that the representations contained in this form are to the best of my knowledge true and accurate.

Mark A. Topp Mark A. Topp President May 9, 2017  
Prime Signature Prime Print Name Prime Print Title Date

The undersigned has reasonably uncommitted capacity sufficient to provide the required goods or services, all licenses and permits necessary to provide such goods or services, ability to obtain bonding that is reasonably required to provide such goods or services consistent with normal industry practice, and the ability to otherwise meet the bid specifications.

ALFREDO CORDERO, SR. ALFREDO CORDERO, SR. PRESIDENT May 9, 2017  
SBE/Cons Subcontractor Signature SBE/Cons Subcontractor Print Name SBE/Cons Subcontractor Print Title Date

- ☐ Check this box if this project is a set-aside and you are performing 100% of the work with your own work forces.  
☐ Check this box if Form SBD 305A and Form SBD 305B have been submitted in your pricing envelope.  
☐ Check this box if Form SBD 303 has been submitted in your pricing envelope.

List of Certified Firms: <http://www.miamidade.gov/smallbusiness/certification-1993.asp>

SBD's Website: <http://www.miamidade.gov/smallbusiness/>

Small Business Development Division - Internal Services Department

SBD 400 (Formerly DBD 400) (Revised 06/14)





**SCHEDULE OF INTENT AFFIDAVIT**  
**COMMUNITY SMALL BUSINESS ENTERPRISE PROGRAM**

Name of Prime Contractor Firm COMANCO Environmental Corporation Contact Person Mark A. Topp  
Address 4301 Sterling Commerce Drive, Plant City, FL 33566 Phone 813-988-8829 Fax 813-988-8953 Email mtopp@comanco.com  
Project Name Construction of South Dade Landfill Cell 5 Project Number 14S003  
CSBE Contract Measure 13.13%

This form must be completed by the Prime Contractor and the CSBE Subcontractor that will be utilized for scopes of work on the project. Bidders must include this form with bid documents at the time of bid submission. This form must also include the percentage for CSBE make-up, if applicable.

Name of Prime Contractor	Certification No. (if applicable)	Certification Expiration Date (if applicable)	Type of CSBE work to be performed by Prime Contractor	Prime Contractor % of Bid
COMANCO Env. Corp.	N/A	N/A	Earthwork, Liner Installation, Leachate System Installation	32.25
Prime Contractor Total Percentage:				

The undersigned intends to perform the following work in connection with the above contract:

Name of CSBE Subcontractor	CSBE Cert. No.	Certification Expiration Date	Scope of CSBE work to be performed by Subcontractor	Subcontractor % of Bid CSBE	(if applicable) CSBE Make-Up % of Bid
JMR CONTRACTING CORP DBA JENNINGS ENGINEERING AND CONSTRUCT	16237	4/30/2019	GENERAL CONSTRUCTION	12.5	N/A
Subcontractor Total Percentage:					

I certify that the representations contained in this form are to the best of my knowledge true and accurate:

Mark A. Topp Mark A. Topp President May 9, 2017  
Prime Signature Prime Print Name Prime Print Title Date

The undersigned has reasonably uncommitted capacity sufficient to provide the required goods or services, all licenses and permits necessary to provide such goods or services, ability to obtain bonding that is reasonably required to provide such goods or services consistent with normal industry practice, and the ability to otherwise meet the bid specifications.

KEVIN JENNINGS KEVIN JENNINGS PRESIDENT 5/5/2017  
Subcontractor Signature Subcontractor Print Name Subcontractor Print Title Date

- ☐ Check this box if this project is a set-aside and you are performing 100% of the work with your own work forces.  
☐ Check this box if Form SBD 305A and Form SBD 305B have been submitted in your pricing envelope.  
☐ Check this box if Form SBD 303 has been submitted in your pricing envelope.

SBD 400  
(Formerly DBD 400)  
(Revised 06/14)



# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Esteban L. Bovo, Jr.  
and Members, Board of County Commissioners

**DATE:** March 20, 2018

**FROM:**   
Abigail Price-Williams  
County Attorney

**SUBJECT:** Agenda Item No. 8(M)(1)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Statement of social equity required
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☒ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 8(M)(1)  
3-20-18

RESOLUTION NO. \_\_\_\_\_

RESOLUTION APPROVING CONTRACT AWARD TO COMANCO ENVIRONMENTAL CORPORATION FOR SOUTH DADE LANDFILL CELL 5 CONSTRUCTION IN AN AMOUNT NOT TO EXCEED \$17,242,500.00 FOR CONTRACT NO. 14S003 TO BE FUNDED IN PART FROM BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECT NO. 505480; AUTHORIZING COUNTY MAYOR OR MAYOR'S DESIGNEE TO EXECUTE CONTRACT AND EXERCISE ANY AND ALL RIGHTS CONFERRED THEREIN

**WHEREAS**, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that:

**Section 1.** This Board approves the contract award to Comanco Environmental Corporation, in an amount not to exceed \$17,242,500.00 to be funded from Waste Disposal Operating Fund and Building Better Communities General Obligation Bond program for the construction of South Dade Landfill Cell 5, Contract No. 14S003. A copy of the contract is on file and available upon request from the Department of Solid Waste Management, Procurements and Contracts Management Division.

**Section 2.** This Board hereby authorizes the County Mayor or Mayor's designee to execute contract and exercise any and all rights conferred therein.

The foregoing resolution was offered by Commissioner  
who moved its adoption. The motion was seconded by Commissioner  
and upon being put to a vote, the vote was as follows:

Esteban L. Bovo, Jr., Chairman	
Audrey M. Edmonson, Vice Chairwoman	
Bruno A. Barreiro	Daniella Levine Cava
Jose "Pepe" Diaz	Sally A. Heyman
Barbara J. Jordan	Joe A. Martinez
Jean Monestime	Dennis C. Moss
Rebeca Sosa	Sen. Javier D. Souto
Xavier L. Suarez	

The Chairperson thereupon declared the resolution duly passed and adopted this 20<sup>th</sup> day of March, 2018. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.



Monica Rizo Perez